Ombudsman
British Columbia

2002

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Ombudsman

Legislative Assembly
Province of British Columbia

June 25, 2003

The Honourable Claude Richmond
Speaker of the Legislative Assembly
Parliament Buildings, Room 207
Victoria, BC V8V 1X4

Dear Mr. Speaker:

It is my pleasure to present the Office of the Ombudsman's *2002 Annual Report*. This report covers the period January 1 to December 31, 2002.

This report has been prepared in accordance with section 31(1) of the *Ombudsman Act*.

Yours truly,

Howard Kushner
Ombudsman for the Province of British Columbia

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From the Ombudsman

The *2002 Annual Report* is the fourth annual report that I have had the honour to present. Over the past four years our Office has implemented a number of changes and reforms to assist and improve upon the quality of services provided and the quality of investigations carried out by this Office. Our internal focus has been, and continues to be, on how to make our Office a more efficient and effective organization. However, over the past year, and extending into the new year, much energy and time has been devoted to responding to and implementing the 35% budget cut proposed for this Office by the Select Standing Committee on Finance and Government Services.

In 2002, I appeared twice before the Committee to speak to budget issues, I met with a number of Ministers to advise as to the consequences of the proposed cuts, and I held meetings with other Officers of the Legislature and staff to discuss the impact of the cuts and the options available to our Office.

I appreciate the requirement for fiscal prudence and the need to analyse and consider options. As well, I appreciate the importance of informing the Legislature, the public, the authorities we oversee and my staff of the impact of the cuts. In this current economic climate, as we continue to face the increasingly harsh realities of the cuts to our Office, my priority will be to maintain the primary focus of our Office, which is to ensure that every member of the public is treated fairly by those public agencies that fall under the authority of my Office. However, in light of the reduced budget, we will not be able to investigate complaints about some authorities.

Our Office produced *Service Plan (2003/04 – 2005/06)*, a plan outlining how our Office will respond and how it is responding to the proposed cuts, as well as reporting on the impact of the cuts on our mandate. I encourage all British Columbians to read our *Service Plan*, as well as our Special Financial Report, entitled *Funding the Office of the Ombudsman,* which was tabled in the Legislature on February 19, 2003.

The Office in 2002

In 2002 our Office processed 10,281 intakes, which included 3,341 requests for information and 6,940 requests to conduct an investigation. These numbers represent approximately 770 fewer intakes than in 2001. Interestingly, the largest drop in intakes

resulted from approximately 600 fewer requests for information, which may be an indication that more people are accessing our website to obtain information. As in the past, requests to conduct investigations remained at approximately 200 a week, with a decrease of only 150 over the year. The vast majority – 85% – of those requests occurred over the telephone, 8% are received by letter, 5% are received over the Internet and 2% are received in person.

During the past year, my Investigators were assigned approximately 2,492 new files, and over 2,700 files were closed. At the end of 2002, we "carried over" 361 files into the new year, the majority of which (276) were less than a year old. Over a four-year period we have reduced our "carried over" files from 1,191 to 361, a significant accomplishment in times of reduced budgets and relatively stable intake of new files.

The "Authorities" – those public agencies listed in the Schedule to the *Ombudsman Act* – that we receive complaints about can be divided into two broad categories: "Traditional" and "Extended." "Traditional" includes Provincial Ministries, Boards, Commissions and Crown Corporations. "Extended" includes Municipalities and Regional Districts, Hospitals and Health Authorities, Schools and School Districts, Professional Associations and Colleges and Universities.

Traditional Authorities

The "Traditional" category represents those authorities which every Provincial Ombudsman across the country has jurisdiction to investigate. Approximately 83% of the files closed in 2002 were investigations concerning those "Traditional" authorities. In particular, 58% of the complaints relate to Provincial Ministries, 15% relate to Boards and Commissions, and 10% relate to Crown Corporations.

The Ministry of Human Resources represents about 40% of Provincial Ministry complaints. Given the large number of contacts the Ministry has with the public, and given the importance and the impact of the decisions of this Ministry on individuals, it is not surprising that this Ministry is the authority about which we receive the most complaints. This does not reflect a higher relative level of unfairness by the Ministry but rather illustrates the importance to the public of those issues dealt with by the Ministry, the number of people dealing with the Ministry and the associated importance of the Ministry both acting fairly and appreciating that acting fairly may, in some instances, require going beyond the minimum legal standards mandated by law.

The next two Ministries we receive the greatest number of complaints about are the Ministry of Public Safety and Solicitor General, accounting for 19%, the majority of which relate to Corrections; and the Ministry of Children and Family Development, accounting for 17%.

Provincial Boards and Commissions represent 15% of our files closed over the last year within the "Traditional" category. Within this category the authority we receive the most complaints about is the Workers' Compensation Board (WCB). Again, this is not

to suggest that the WCB acts unfairly but rather reflects the number of contacts that WCB has with members of the public and the nature of and the importance to the individual of the decisions being made by WCB. The large volume of complaints against WCB, however, warrants further comment.

One area of general concern with WCB is the large number of complaints relating to delay. A new *Workers' Compensation Act*, introduced in 2002, established statutory timelines for certain types of decisions not previously subject to statutory timelines. These statutory timelines came into effect on March 3, 2003, and will hopefully reduce the number of "delay" complaints received by my Office. However, my Office has ongoing concerns about the substantial backlog of decisions that are not subject to these timelines.

I am also concerned that the proposed 35% budget cut to our Office, recommended by the Select Standing Committee on Finance and Government Services, will result in our Office being unable to investigate a number of authorities, possibly including the WCB. Any loss of investigative ability in this area is a worry. It is important that the WCB and its clients, as well as the public at large and Members of the Legislative Assembly, know that an independent, impartial office such as the Office of the Ombudsman is ensuring that fairness occurs. This independent oversight is especially important during the times of transition occurring at the WCB. However, for our Office to be effective, it needs to be resourced at an appropriate level.

The last group of Authorities under the "Traditional" category is Crown Corporations. This group represents a further 10% of our work, with ICBC (60%) and BC Hydro (29%) representing the two authorities complained about most. Both ICBC and BC Hydro have internal dispute resolution processes that our Office can refer complainants to. Our Office is an office of last resort, and we expect complainants to access any existing processes before our Office will investigate.

New concerns about our Office's interaction with BC Hydro's dispute resolution process have arisen as BC Hydro entered into a contract with Accenture Business Services of BC (Accenture) for the delivery of certain services. My Office has direct jurisdiction over BC Hydro but has no direct jurisdiction over Accenture. A question that arises is whether our Office will be able to investigate complaints if BC Hydro clients come to our Office with complaints that they have been unfairly treated by Accenture. We have had discussion with BC Hydro on this issue, seeking clarification about BC Hydro's operations and their interaction with our Office.

Extended Authorities

The remaining 17% of our complaints arise from the Extended Authorities – Municipal and Regional Districts (6%), Health Authorities (4%), School and School Boards (2%), Professional Associations (4%) and Colleges and Universities (1%). This category consists of Authorities which most other Provincial Ombudsman do not have

jurisdiction to investigate. In British Columbia, the Legislature deemed this group of entities to be of sufficient public interest and to have a sufficient public nature to warrant that they must and should act fairly and thus mandated our Office to investigate complaints about unfairness. However, the 15% budget cut imposed on our Office in 2003/04 has resulted in our Office being unable to investigate complaints about Municipalities and Professional Associations. If the additional cut of 20% proposed for our Office in 2004/05 comes to pass, we will lose investigative ability for all of the "Extended Authorities," including Health Authorities and School Boards.

It is somewhat ironic that at a time when the Government is engaged in a process of shifting program delivery from Ministries to regional and local authorities, the Legislature is reducing our funding so dramatically as to prevent us from continuing to investigate complaints against these local and regional authorities. As a consequence, a level of accountability and an assurance of fairness by the Authorities in their dealings with the public will be lost. Of note is that other jurisdictions, such as Ontario, Manitoba, New Brunswick and Alberta, have extended their Provincial Ombudsman Office to have this expanded jurisdiction or are considering doing so.

Performance Measures

An important part of ensuring efficiency is having performance measures. The year 2002 saw the development of performance measures for all areas of the Office, including administration, information technology support, intake, investigations, and legal. Deciding what to measure and setting standards and objectives took place over the first 8 months of the year. I implemented the standards and objectives in September 2002.

Some of the measures involve the collection of similar data to that which the Office has reported on for years, such as the age distribution of open files. Other measures required the creation of mechanisms or reporting capability in our Case Tracker System. For example, 75% of incoming telephone calls to intake are to be answered within 40 seconds (81% was achieved); written complaints received by email, fax, or letter are to be responded to within two working days (90% was achieved); investigators are to make first contact with complainants within 5 days of a file being opened (86% was achieved) and an authority is to be contacted within 30 days of a decision to investigate a complaint (97% was achieved).

For the Office overall, I have set two Performance Measures. These do not reflect individual teams but rather on the overall outcome of the work of the Office.

1. Number of investigations where the authority refused to accept the recommendations of the Office (Target is 0); and
2. Number of complaint investigations that lead to a positive change in practice, policies, statutes, or regulations by authorities (no specific target set).

In 2002, I am pleased to report that our target for Performance Measure 1, above, was met. No authorities refused to accept the recommendation of the Office. Unfortunately,

I already know at this date that we will not achieve that target in 2003 (see *Special Report No. 23: The Right To Know – A Complaint about the Greater Victoria Public Library Meeting Room Policy*). With respect to Performance Measure 2, approximately 19% of our closed investigative files had an impact beyond the individual who made the complaint and led to a positive change in practice, policies, statutes or regulations of an authority. This measure illustrates that often an investigation of one individual's complaint can result in substantive changes that should prevent or preclude a similar complaint from arising in the future.

A more detailed listing of our Performance Measures and Targets is contained in our *Service Plan 2003/04 – 2005/06*, which can be viewed on our Office's internet website at www.ombudsman.bc.ca. Some of the results of the performance measures are included in the statistics at the end of this report. Since the measures were only in place for part of the year, 2003 will be the first full year for which data collection will be available for many of the measures. I will be reporting more fully on the performance of the Office as measured against these standards and objectives in next year's annual report or as part of our annual service plan.

Initiatives Launched by our Authorities

In addition to investigating complaints and providing information to the public, our Office also responds to legislative and administrative initiatives launched by our Authorities. We have commented on these initiatives when requested, and we have met with various officials in Ministries and in Crown Corporation offices. As well, our Office provided comments and submitted written responses on the Administrative Justice Review, the Civil Liability Review, the Transportation Infrastructure Initiative and the Community Charter. These submissions can be found on our website at www.ombudsman.bc.ca. Several of our comments have resulted in changes to the legislative proposals and others have encouraged discussion with government officials.

Visits

In 2002 I also continued a practice started in 2001 of visiting communities located outside the Victoria-Lower Mainland area. In May 2002, along with two investigators, I travelled to Port Hardy, Campbell River, Courtenay-Comox, Port Alberni and Nanaimo. We again set up mini-intake offices at each location, thus allowing people to file complaints in person. I also visited the Lakeview Youth Custody Centre and the Nanaimo Correctional Centre. In addition, I met with representatives of a number of authorities and with members of the press, conducted radio and TV interviews and spoke to members of the public. These tours represent our Office's initiative to raise awareness of the Office of the Ombudsman across the province and to facilitate access to our Office for those who feel they may have been unfairly treated by a public authority.

Jurisdiction

In my *2001 Annual Report* I raised concerns about privatization, outsourcing and contracting out. This continues to be a concern in 2002. Services to the public that were previously subject to our oversight have been restructured in ways that have resulted in the loss of our jurisdiction to investigate complaints. BC Ferries is an example of one authority which we previously had jurisdiction to investigate but are now statutorily excluded from investigating.

We have had discussions with BC Hydro about customer issues and their contract with Accenture. We met with the Minister of Transportation to discuss concession agreements related to toll roads. We met with the Ministry of Community, Aboriginal and Women's Services to discuss the role of the Ombudsman in the proposed new "Safety Authority." We also met with representatives of Partnership BC. In each of these cases I have posed the question: Is there an expectation by Government that these "outsourced, contracted out or privatized services" will be administered and delivered in a "fair" fashion and, if so, how is that to be assured? It is the role of our Office to ensure that every member of the public is treated fairly by authorities, yet our ability to investigate these entities is not protected, and in some cases is deliberately excluded.

Our Office provides a means to ensure that services to the public paid for out of the public purse are delivered fairly. We are a mechanism of accountability which, in a time of change and transformation, provides assurance to both the public and the Legislature that the concepts of fairness are being considered and applied. As stated in our *2001 Annual Report*:

> *"If a service is provided by tax dollars, uses publicly-owned resources, has a regulatory framework, involves overriding public policy considerations such as health, safety, consumer protection or the environment; and if vulnerable persons such as those in custody and care are involved, then the right to independent investigation of complaints must be preserved. It makes no difference whether the service is provided by a governmental organization or private service-provider.* (Former Ontario Ombudsman Roberta Jamieson, in her *1996/97 Annual Report*)"

I will again be raising my concerns about inadequate financial resources and loss of jurisdiction through changes to service delivery with the Select Standing Committee on Finance and Government Services. However, I am less optimistic than I was in 2001 that an appropriate level of funding will be provided and that citizens of BC will continue to be able to access our Office with complaints about maladministration involving all of the authorities that fall under the Ombudsman's jurisdiction. However, my Office remains committed to ensuring fairness in public administration. At a time when public bodies are adapting to ever-changing economic and social challenges, the role of my Office in ensuring that the rights and entitlements of the users of public services are fairly administered remains crucial. ■

Part II Forward to Case Studies

Part II of our *2002 Annual Report* follows on our 2000 and 2001 annual reports.

Our *2000 Annual Report* provided a framework of how our Office operates within the context of the *Ombudsman Act*, citing summaries of investigations and explaining where specific complaints fell under the applicable sections of our *Act*.

Our *2001 Annual Report* included a number of summaries of investigations that resulted in changes to practice, procedure or policy – that is, actions taken by authorities to address issues of administrative unfairness raised either through a single complaint to our Office, several similar complaints, or our Office's undertaking to review a systemic unfairness (an "Ombudsman Initiated" investigation).

Our *2002 Annual Report* describes in general terms the work of the Ombudsman's Office, including specific examples of complaints received by the Office. It also describes how complaints from the public are received and assessed through the Office's "intake" process.

Many people contacting our Office need assistance to navigate through a governmental "system," and the information they receive at their first contact with our Office is sufficient to assist them in doing so. Many others require more information, leading to our Intake Team making inquiries on behalf of people and providing information back to them, referring them to a person or to a complaints mechanism internal to a government agency, or opening a file to an Investigative Officer for further review.

Preliminary assessment of a complainant's call to our Office involves staff from the Intake Team determining whether the person has a complaint against an "Authority" – that is, a public agency that is listed in the Schedule to the *Ombudsman Act*. If the complaint is against a public agency listed in our Schedule, our Office has the "jurisdiction" to investigate that complaint. If the complaint is against an agency not listed in our Schedule, our Office does not have the jurisdiction to investigate. In either case, the Intake Team, when dealing with each telephone, website, written or "walk-in" contact, assists each person by providing information and by manoeuvring the person through bureaucratic roadblocks and hurdles.

If the Intake Team concludes that a complaint falls within our Office's jurisdiction, and concludes that the complaint requires further review, a file is opened to an Investigator. The Investigator communicates with the complainant and serves notice of the complaint to the Authority, gathering information relative to the complaint. Complaints can often be resolved at this stage, sometimes with little communication and often with considerable communication and information-gathering. It may become clear in the early stages of an investigation that the complainant had not provided sufficient evidence for our Office to proceed, or we may determine that further investigation is not required.

If it appears that an unfairness may have occurred – for example, a miscommunication of information, or a person appears to have "fallen through a crack" for a variety of reasons – the alleged wrong can sometimes be corrected through a balanced and inclusive response to the complaint by the Authority. An Authority will

often undertake to initiate such a response at this stage, taking certain actions to rectify a matter. Our Office may decide at this point to close our file, or we may choose to stay involved until we are satisfied that the outcome reached is open, fair and accountable.

Many complaints, however, require further investigation. For example, if the initial investigation does not solicit sufficient information to enable us to conclude that an unfairness has not occurred, and if communication with the Authority has not resulted in what our Office would consider an adequate response to the fairness concern raised, the Investigator will continue to collect evidence and conduct interviews. This process involves ongoing communication and information-gathering with both the complainant and the Authority.

If the evidence collected suggests an unfairness under the terms of the *Ombudsman Act*, and if the Authority does not agree that this may be the case and take appropriate action to rectify an unfairness, an Investigator will consult with colleagues, the Team Leader and the Ombudsman. The Investigator, the Team Leader and the Ombudsman will then decide how to proceed, and this decision may include one or more of the following:

- further consultation with the Authority, likely moving communication to a higher level within the Ministry or agency;
- the Ombudsman deciding to issue tentative findings under section 17 of the *Ombudsman Act*;
- the Ombudsman deciding to issue findings and recommendations under section 23 of the *Ombudsman Act*;
- the Ombudsman deciding to issue a Public Report;
- a decision by the Ombudsman to set aside an investigation to allow for the Authority to undertake a defined action, with the Ombudsman continuing to monitor a situation.

The Ombudsman may decide at any stage in the above processes to open an Ombudsman Initiated file if the Ombudsman considers that a matter of sufficient importance has been raised that warrants further investigation by the Office.

The following case studies provide examples of the processes that our Office may enter into in response to calls to our Office, ranging from first contact with our Intake Team to the Ombudsman deciding, after investigation and considerable consultation with an Authority, to issue a Public Report to advise the Legislature and the Public of the outcome of the investigation.

Intake Team Provides Vital First-Contact Service

A large number of people contacting the Office of the Ombudsman simply do not know where to go with their concerns. They have often already contacted several government offices, and they reach our Intake Team frustrated with "the system."

A critical role of our Intake Team is to listen to and assess each complaint, often guiding a person to an agency's available processes. In these times of ongoing transition within government, the valuable role of our Intake Team cannot be overstated. The government is in the midst of massive changes to almost every part of how it conducts business. The proliferation of computers and the resultant methods of information delivery through websites and data systems mean that individuals are expected to do more for themselves. The Intake Team works hard to ensure that those facing the greatest barriers to information, often those with the greatest need, do not become disenfranchised through lack of information.

The Office's Intake Team responds to approximately 75 % of the calls and letters to the Office

of the Ombudsman. Each year thousands of people have their questions answered, are provided with helpful information, or are referred to a government agency, department or person for further assistance.

Our Intake Team can be contacted by telephone at 1-800-567-3247 or at our website at www.ombudsman.bc.ca.

Intake Team and Complaints within the Ombudsman's Jurisdiction to Investigate

Intake staff provide the public with information about whom they can contact within government and other agencies to resolve their concerns. In addition, the public benefits from Intake staff's liaison with the Internal Complaint Handling bodies within agencies, which facilitates timely and effective communication.

For many people, access to the information they need to resolve a concern about a government or other jurisdictional authority can be difficult. The Ombudsman encourages people to try to resolve their problems with the agency concerned. Knowing one's options, where to go or who to call, or understanding applicable timelines, include the types of information that the Intake Team provides to thousands of people who call or write each year.

For example, recent changes to social welfare programs have contributed to the numbers of Income Assistance recipients contacting the Office of the Ombudsman with complaints. Each caller is provided with a name and phone number of a person to contact within the Ministry of Human Resources.

A case in point involved a person who called our Office and spoke with our Intake Team. The caller had just arrived in a city penniless, as his previous employer had not paid him. The changes to the Employment and Assistance rules meant that he would have to wait three weeks before applying for benefits. As the emergency shelter he was staying at was able to give him only a few days accommodation, he would soon be living on the street without money for food. He had no address, clean clothes or food, and searching for a job seemed next to impossible.

The Intake staff advised the man that new applicants for benefits can request an emergency needs assessment, and the person was provided with the names and phone numbers of the local District Supervisor and the Employment and Assistance Coordinator. The man was invited to re-contact our Office if he found the response of the Ministry to be unfair.

Intake Team and Complaints not within the Ombudsman's Jurisdiction

The Ombudsman's Intake Team has instant access to a computerized database, enabling staff to provide up-to-date information about agencies, organizations and individuals who may be able to assist. Treating people who contact our Office with respect means that those who do contact us can expect to have their complaint listened to with attentive consideration, with an interest taken in the person's concerns and with a sincere determination to assist, if possible. Although we do not act as an advocate for people, we recognize that in order for people to advocate for themselves, they require information. We therefore assist people with complaints about various issues, including consumer goods or services, landlord or tenant disputes and numerous other private matters.

Many people contacting the Office of the Ombudsman are unsure of where their complaint falls within the various levels of government service and are often unclear that the role of our Office is

often undertake to initiate such a response at this stage, taking certain actions to rectify a matter. Our Office may decide at this point to close our file, or we may choose to stay involved until we are satisfied that the outcome reached is open, fair and accountable.

Many complaints, however, require further investigation. For example, if the initial investigation does not solicit sufficient information to enable us to conclude that an unfairness has not occurred, and if communication with the Authority has not resulted in what our Office would consider an adequate response to the fairness concern raised, the Investigator will continue to collect evidence and conduct interviews. This process involves ongoing communication and information-gathering with both the complainant and the Authority.

If the evidence collected suggests an unfairness under the terms of the *Ombudsman Act*, and if the Authority does not agree that this may be the case and take appropriate action to rectify an unfairness, an Investigator will consult with colleagues, the Team Leader and the Ombudsman. The Investigator, the Team Leader and the Ombudsman will then decide how to proceed, and this decision may include one or more of the following:

- further consultation with the Authority, likely moving communication to a higher level within the Ministry or agency;
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The Ombudsman may decide at any stage in the above processes to open an Ombudsman Initiated file if the Ombudsman considers that a matter of sufficient importance has been raised that warrants further investigation by the Office.

The following case studies provide examples of the processes that our Office may enter into in response to calls to our Office, ranging from first contact with our Intake Team to the Ombudsman deciding, after investigation and considerable consultation with an Authority, to issue a Public Report to advise the Legislature and the Public of the outcome of the investigation.

Intake Team Provides Vital First-Contact Service

A large number of people contacting the Office of the Ombudsman simply do not know where to go with their concerns. They have often already contacted several government offices, and they reach our Intake Team frustrated with "the system."

A critical role of our Intake Team is to listen to and assess each complaint, often guiding a person to an agency's available processes. In these times of ongoing transition within government, the valuable role of our Intake Team cannot be overstated. The government is in the midst of massive changes to almost every part of how it conducts business. The proliferation of computers and the resultant methods of information delivery through websites and data systems mean that individuals are expected to do more for themselves. The Intake Team works hard to ensure that those facing the greatest barriers to information, often those with the greatest need, do not become disenfranchised through lack of information.

The Office's Intake Team responds to approximately 75 % of the calls and letters to the Office

of the Ombudsman. Each year thousands of people have their questions answered, are provided with helpful information, or are referred to a government agency, department or person for further assistance.

Our Intake Team can be contacted by telephone at 1-800-567-3247 or at our website at www.ombudsman.bc.ca.

Intake Team and Complaints the Ombudsman's Jurisdiction to Investigate

For many people, access to the information they need to resolve a concern about a government or other jurisdictional authority can be difficult. The Ombudsman encourages people to try to resolve their problems with the agency concerned. Knowing one's options, where to go or who to call, or understanding applicable timelines, include the types of information that the Intake Team provides to thousands of people who call or write each year.

For example, recent changes to social welfare programs have contributed to the numbers of Income Assistance recipients contacting the Office of the Ombudsman with complaints. Each caller is provided with a name and phone number of a person to contact within the Ministry of Human Resources.

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Intake Team and Complaints the Ombudsman's Jurisdiction

Many people contacting the Office of the Ombudsman are unsure of where their complaint falls within the various levels of government service and are often unclear that the role of our Office is

limited to investigating those provincial agencies listed in the schedule to the *Ombudsman Act*.

In 2002 we received 2,137 complaints from the public involving agencies that are not within this Office's jurisdiction. Such matters include consumer concerns, federal government issues and sometimes matters involving private individuals, companies or organizations. By the time people contact our Office they often feel lost and confused. Even though we cannot investigate these complaints, our Intake Team, with its broad background in fielding such inquiries and its breadth of general knowledge relating to both governmental and non-governmental agencies, listens to people's concerns and makes every effort to provide helpful information.

For example:

- Persons with complaints about consumer transactions are referred to the Consumer Services Division of the Ministry of Public Safety and Solicitor General, which enforces consumer legislation.
- Persons with concerns about landlord or tenant issues are referred to the provincial government's Residential Tenancy Branch, which provides a mechanism for addressing residential tenancy disputes. If the person has a complaint about the actions of the Residential Tenancy Branch, an agency that falls within the jurisdiction of the Ombudsman, the person can file a complaint with our Office that may then be investigated.
- Persons seeking legal advice about matters affecting them are referred either to a free phone service offering general information on the law, or to the Lawyer Referral Service. The Office of the Ombudsman does not offer legal advice or advise persons on how to proceed with court-related matters.

In addition, because there is no federal Ombudsman, Intake staff often receive enquiries from people with concerns about federal government matters, such as Employment Insurance, Canada Pension Plan and Income Tax. Our Intake Team provides these persons with the toll-free phone number for the office of the Information on the Government of Canada or refers people to their Member of Parliament.

If it is determined by our Intake Team that a complaint falls within the Ombudsman's jurisdiction and requires further consideration to determine whether an investigation will be undertaken, our Intake Team opens a file to an Investigative Officer, who may then conduct an investigation into the issues of fairness raised by the complainant.

One of the first questions asked by our Office is whether the Public Agency has an effective internal complaints mechanism. This topic forms the first case study in our *2002 Annual Report*. ■

Case Study

Effective Internal Complaint Mechanisms – a Fairness Must-Have

Effective complaint-handling processes are a fundamental element of fairness. If you or someone you know is concerned about the way complaints are being handled, whether in a correctional centre or any other provincial agency, you may wish to contact the Office of the Ombudsman.

In September 2001 our Office released *Public Report No. 40: Developing an Internal Complaint Mechanism* to assist public agencies in the development of their own complaint-handling processes. Our investigations reveal that some existing complaint mechanisms work very well, and others do not. *Public Report No. 40* identified six basic elements of an Internal Complaint Mechanism that are fundamental to a fair complaint-handling process.

One complaint-handling mechanism currently under review by our Office relates to people who are in custody in provincial correctional facilities. People in custody have maintained that the internal complaint processes available to them are not sufficiently independent to hear and resolve their concerns in a fair manner. Our Office will generally advise people to access an agency's internal complaint procedure before coming to our Office, and also advise that they can return to our Office if the existing complaint mechanisms prove unsatisfactory. However, some complaint mechanisms cause people to give up in frustration when in fact the complaint may be legitimate. The Ombudsman Initiated investigation of the correctional complaint review system has been undertaken to assess whether the complaint mechanism we are referring people to meets the standard of fairness expected by our Office.

After hearing from a group of 78 inmates who approached our Office with complaints about a number of areas, our Office attended at that correctional centre to interview inmates, staff and management. The opportunity to be heard contributed to an easing of tensions at the correctional centre and resulted in revisions to how complaints are dealt with at that centre. The outcome was an improved method for resolving group concerns through a tier representative process, access to the outdoors in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners and improvements to the provision of lunches to inmates working within the correctional centre. We continue to communicate with officials at the centre and at the Corrections Branch to explore additional ways of resolving inmate complaints. ■

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Effective complaint-handling processes are a fundamental element of fairness. If you or someone you know is concerned about the way complaints are being handled, whether in a correctional centre or any other provincial agency, you may wish to contact the Office of the Ombudsman.

In September 2001 our Office released *Public Report No. 40: Developing an Internal Complaint Mechanism* to assist public agencies in the development of their own complaint-handling processes. Our investigations reveal that some existing complaint mechanisms work very well, and others do not. *Public Report No. 40* identified six basic elements of an Internal Complaint Mechanism that are fundamental to a fair complaint-handling process.

One complaint-handling mechanism currently under review by our Office relates to people who are in custody in provincial correctional facilities. People in custody have maintained that the internal complaint processes available to them are not sufficiently independent to hear and resolve their concerns in a fair manner. Our Office will generally advise people to access an agency's internal complaint procedure before coming to our Office, and also advise that they can return to our Office if the existing complaint mechanisms prove unsatisfactory. However, some complaint mechanisms cause people to give up in frustration when in fact the complaint may be legitimate. The Ombudsman Initiated investigation of the correctional complaint review system has been undertaken to assess whether the complaint mechanism we are referring people to meets the standard of fairness expected by our Office.

After hearing from a group of 78 inmates who approached our Office with complaints about a number of areas, our Office attended at that correctional centre to interview inmates, staff and management. The opportunity to be heard contributed to an easing of tensions at the correctional centre and resulted in revisions to how complaints are dealt with at that centre. The outcome was an improved method for resolving group concerns through a tier representative process, access to the outdoors in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners and improvements to the provision of lunches to inmates working within the correctional centre. We continue to communicate with officials at the centre and at the Corrections Branch to explore additional ways of resolving inmate complaints. ■

Case Study

Ombudsman Assists People in Finding Solutions in Bureaucracies That Can Be Confusing

Navigating government bureaucracy may seem next to impossible at times, especially when both the federal and provincial levels are involved. Each year the Office of the Ombudsman receives numerous requests from people across British Columbia seeking help in getting responses from government officials about matters of serious importance to them. Ombudsman staff are knowledgeable and skilled in navigating bureaucracies that can be daunting.

A person sought the Ombudsman Office's help in locating a compensation payment from the provincial government when, as a recipient of the tainted Blood Supply Compensation, he could not get answers to his questions about compensation.

The Hepatitis C virus that had tainted Canada's blood had claimed numerous victims. Eventually the courts ordered a settlement, portions of which were paid by both the federal and provincial governments. The settlement was to be distributed among the victims according to a pre-determined formula. Distribution of the money was to be administered by a financial service consultant based out of Montreal.

The court-ordered due date for the provincial government payment came and went, and this person became concerned because he hadn't received his share of the settlement. He tried calling the provincial government, but no one he spoke to knew what he was talking about. He then tried the law firm involved in the class action suit that had resulted in the court's decision to impose a settlement. However, because he wasn't a client of the firm and had not participated in the class action suit, he couldn't get past the person answering the phone. He then tried the financial consultant in Montreal and could only leave a message. No one responded. That's when he called the Office of the Ombudsman.

Due to our extensive experience in navigating the various arms of government, staff were able, after several phone calls, to determine that the British Columbia government had met its court-mandated due date for the payment and had couriered the cheque to the Montreal consultant. Staff put their skills to the test one more time and, despite several phone trees and time zone differences, were able to speak to someone from the consultant's office who verified that it had received the money. The consultant's staff explained the administrative process that would be used to distribute the money and provided the Ombudsman's Office with an anticipated time line for the distribution.

Although this Office had not been able to expedite the payment in any manner, this person was pleased to learn that his cheque was in the mail. ■

Case Study

Ombudsman Investigates Allegations Concerning Bullying and Harassment

The Ombudsman's Office investigates complaints from children, youth and adults relating to Public Agencies' responsibility to respond to allegations of bullying, harassment and other forms of intimidation. The Ombudsman's role is to ensure that every person is treated fairly and that policies and procedures conform to the Ombudsman's standards of fairness.

Are school officials taking adequate steps to address concerns expressed by children and their parents or guardians about classroom and school-yard bullying?

The Ombudsman's Child and Youth Team received several complaints about bullying at schools. As reported by the media across Canada, bullying has been attributed to violent offences, some resulting in the death of a child. This is a matter of serious concern for my Office. While the Ombudsman's Office does not have a solution to prevent bullying, we do conduct investigations to ensure that school district staff respond to reports of bullying in accordance with Ministry guidelines and the Ombudsman's standards of fairness.

A typical caller to my Office on this issue states: "Another child has bullied my child at school, and the school is doing nothing to deal with it. What can be done to ensure that my child feels safe while at school?"

Complaints from parents about bullying often involve the concern that school district staff have not taken action to prevent further bullying or that school district staff have not taken steps to deal with the bullying. Parents report that their child comes home and regularly reports being harassed, intimidated, and sometimes physically harmed by another student. Parents tell us that they report these concerns to the child's classroom teacher and school principal but that there does not appear to be any action as a result. When the parents continue to feel that no one in the school district is prepared to take their concerns seriously and take action to resolve the issue, they become frustrated with the process.

When we investigate a complaint about bullying, we contact school district staff to advise them of the complaint and to acquire information about the matter. We ask staff to provide us with information about the steps the school has taken to address the matter.

Schools have reported to us that one response is to refer both students for counselling – one student for help in dealing with his/her experience as a victim of bullying, and the other to deal with the bullying behaviour. In addition, school staff have met with the parents of the child who is being victimized and with the parents of the child reported as a bully. Staff inform us of the steps that these families may have taken to try and address concerns that their child is bullying another child. School district staff cite the need to respect the privacy of all parties and therefore these details are not shared with all parties. Due to the confidential nature of the process, parents may assume that the "bully" has not experienced a significant consequence for the

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behaviour. Staff have also noted concern that the parents of a bullied child sometimes demand punishments that are unfair and unreasonable.

In October 2002 the government, recognizing the seriousness of bullying, established a School Safety Task Force. The mandate of the Task Force is to hold a series of public meetings as a means of reviewing ways to make schools safer. The Task Force is in the process of finalizing its report. A date for its release has not been set. ■

Case Study

Ombudsman Investigates Access and Response Complaints about Public Services

The Ombudsman seeks to ensure that government agencies treat British Columbians fairly by providing reasonable access and timely responses to their concerns and enquiries.

Are government staff cuts at the Medical Services Plan causing pain?

This Office has received a number of calls from BC residents over the past year seeking the Ombudsman's help in contacting the Medical Services Plan. These people, some elderly and some with disabilities, state that they have been unable to have their MSP questions answered as they cannot get through by telephone to speak to anyone. Others have complained about the MSP's failure to respond to their letters and faxes. Some have reported lengthy delays in processing premium assistance applications and in correcting errors.

A case in point involved an elderly woman. She contacted the Ombudsman's Office after she had been unable to contact anyone at the Medical Services Plan by telephone, even after remaining on hold for 90 minutes on one occasion.

The woman stated that she paid her MSP premiums biannually but had not received a bill for the six-month period beginning in the next month. She feared that her MSP coverage would be cancelled if she did not make the payment before the end of the month.

Although MSP does not terminate coverage if an MSP premium has not been paid, the debt will accrue. We contacted MSP on the woman's behalf. A plan official agreed to contact the concerned woman to advise her that due to a change in the premium structure several months earlier she had acquired a credit and that this credit had delayed her next payment notice. Although this resolved this woman's immediate concerns about her bill, the access problem remains unresolved. The Ombudsman has opened an Ombudsman Initiated investigation into this systemic issue. ■

Case Study

Delay Can Be an Administrative Unfairness Issue

Whether delay is reasonable or not will depend on the circumstances, including consideration of the matter at stake, the urgency of the case, the complexity of the issue and the number of people involved. If delay is occurring routinely in a particular process, or if individual cases are taking longer than is reasonable to complete, the Ombudsman may consider the delay to be administratively unfair. If delay is "systemic" the Ombudsman may initiate his own investigation into the issue.

We received a number of complaints from people concerned about delays in billing for ambulance services. As a result the Ombudsman initiated his own investigation into the delays and their effects.

The Emergency Health Services Commission advised that the billing delays resulted from job actions by paramedics from August to November 2000 and again in February and March 2001. We were informed that at that time some patients were told that there would be no charge, and in other cases incomplete billing information was obtained from patients. Although the hard work of Ministry officials had resulted in a gradual reduction in the delays, we believed that it was in the public interest to investigate the matter of charging the standard fees in cases of significant hardship.

The *Health Emergency Act Remission Regulation* already provided a mechanism for patients to apply for a waiver of ambulance fees where, under specified criteria, imposition of the fee would cause great hardship. We remained concerned, however, about the effects of current or future billing delays on patients who had purchased extended insurance coverage but whose insurers refused to honour ambulance bills presented for payment after a set deadline. As these circumstances had not been covered specifically under the *Regulation*, we discussed our concerns with officials of Accounting Operations. They agreed to seek an amendment to the *Regulation* to include provisions for a patient to apply to the Fee Remission Committee where payment would cause great hardship because an insurer had refused to pay. The amendment was approved by the Minister and went into effect in December 2002. Officials also acted on our long-standing concern that only patients making enquiries were being advised that application could be made for remission of fees under certain circumstances and that this information was not provided through billing. It was agreed that this information would be provided with billing notices. ■

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Case Study

Ombudsman Investigates Complaints from the Business Community

The Ombudsman's Office receives complaints from people in the business sector about contracting, taxation issues and other matters that involve relationships with Public Agencies.

A person contacted us with concerns about the way the Ministry of Forests administered its Small Scale Salvage Program. The contractor stated that he and three other local logging contractors had been successful in being awarded timber sales contracts under the program for a number of years.

The contractor stated that he did not believe the Ministry was allocating timber on an equitable basis, saying that he had not received any timber in the past year while other loggers in the program had. He also expressed concern that the Ministry cancelled a timber sale that he believed should have been awarded to him.

During the course of our investigation Ministry officials agreed to meet with the contractor to discuss his concerns. In a subsequent letter to the contractor, the District Manager confirmed that he would be the contractor's primary contact for issues relating to the program. As well, the Ministry committed to direct-award the contractor a volume of timber as compensation for the timber sale that was cancelled. The Operations Manager also advised the complainant that the Ministry had amended its policies respecting the allocation of timber under the Program and confirmed that it was moving toward a competitive bid-type process and away from the direct award process. Based on the Ministry's offer, we considered the matter resolved. ■

Case Study

Ombudsman Includes Dignity and Respect Criteria in its Investigations of Public Agency's Decisions and Actions

Treating all people with dignity and respect is a fundamental principle of fairness. This principle extends to every interaction involving a public agency official and the public, including persons in custody, persons in the province's care, persons receiving public services and all forms of contact with public officials.

The Ombudsman's Office takes complaints from youth, parents, caregivers and adults about concerns related to the care of young people in custody centres.

The Ombudsman initiated an investigation into the establishment of a "special unit" at a youth custody centre where youth were placed in the "special unit" when their behaviour was deemed unmanageable. The special unit was created to allow the resident sufficient time away from other influences to regain composure. The Ombudsman was concerned that the special unit was being used to punish residents rather than to provide for "time out." The Ombudsman was also concerned that residents placed in the special unit believed that they were being punished for their behaviour instead of being isolated from other residents. There was also a concern that the special unit might be used instead of "segregation" units, which have additional safeguards in place.

In response to the concerns we identified during the course of our investigation, the Director of the youth custody centre undertook a review of the use of the special unit. Following his review, the Director suspended the use of the special unit while exploring with staff and residents ways to achieve the original goal of providing a supportive environment during times of problematic behaviours in a way that was fair and respectful. ■

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Case Study

The Right to Rely on Information Provided by Public Agencies is a Fundamental Principle of Fairness

The Ombudsman investigates complaints about a Public Agency when it appears that the Agency has not met its duty of care in ensuring the accuracy of the information it provides. The public has a right to expect that information provided by Public Agencies is accurate.

People make life-changing decisions on the basis of information provided by agencies that have the legislated authority to deliver programs and services. One such agency was the Superannuation Commission (now the Pension Corporation).

Several years ago a person contacted the Office of the Ombudsman with a complaint that Superannuation Commission officials had acted unfairly in giving wrong information and then in failing to correct the impact of that error on her anticipated pension. The woman said that she opted to retire on the basis of the information provided in the Commission's pension estimate. However, after retirement she discovered that her pension was approximately $240 per month less than anticipated, a reduction of about 25 percent.

In the mid-1990s the Province was offering downsizing incentive packages. In the course of considering her options, the woman requested that the Superannuation Commission provide her with a "pension estimate." Over a period of approximately four months, she received four different estimates of pension payments, finally signing one that indicated a pension of $833 per month and included the warning:

> This estimate is based on information currently contained in our records. A minor adjustment may be required at the time of actual retirement.

Based on this information, the woman retired. When she received her first pension cheque she was shocked to discover that it was for $592, not the expected $833 with "minor" adjustments. Unable to resolve the issue with the Superannuation Commission or through an appeal to the Pension (Public Service) Board, the woman contacted the Ombudsman's Office. By this point the Superannuation Commission had acknowledged that the pension estimate it had provided was wrong due to a mathematical error. However, Superannuation Commission officials maintained that they could only pay the pension to which the woman was entitled.

In the course of our investigation we identified the following questions related to the fairness of the Commission's position:

- What is the duty of care of the (now) Pension Corporation in providing pension estimates? Given that pension information is extremely complex and yet vital information for those members planning their retirement, how far must members go to double check the Pension Corporation's information, or can they reasonably rely on what they are told?
- If the Pension Corporation knows its information may not be sufficiently complete or accurate for reliance, what kind of notice or warning should it give to members who need estimates? Can the Pension Corporation provide a member with a more detailed explanation of the information used to reach an estimate so that the member has the chance to notice any possible errors or omissions?
- If a member is entitled to rely on the information given by the Pension Corporation and to receive

the "promised" pension even if it is higher than actual entitlement, who pays the difference? The Pension Plan holds the contributions of members, with accrued investment earnings. Any money paid out by the Plan comes from the earnings of its members and so reduces the funds available for other payments.

- What, if any, responsibility is there for a member to try to mitigate the loss? In this case it took the woman approximately nine months to find another job and several years to find a job with earnings equal to those of the job from which she had resigned.

The primary reason for the lengthy delay in resolving this matter was the difficulty in quantifying the woman's loss. In the end, and without acknowledging either responsibility for the woman's loss or acknowledging that a member can reasonably rely on an estimate, the Pension Corporation made an offer to settle the complaint with a payment of $10,000. This was acceptable to the woman and seemed a reasonable resolution in the circumstances.

I am pleased to add that what happened in this case would be less likely to happen now. In the years since the woman retired, the Pension Corporation has increased the information available to members who are wondering what pension they may expect. The Pension Corporation's website now includes an on-line tool for producing one's own estimate. Here a member puts in his/her own information, spouse's age, options to purchase service, etc., and generates information on the costs and benefits of different permutations. ■

Case Study

"To Err is Human" – Correcting the Error Sometimes Falls to the Ombudsman

Many of the complaints we receive involve human error. Some errors can have dire impacts on the lives of those affected. If a person believes that a public agency official has made an error, we may be able to help.

Residents of provincial correctional facilities sometimes complain that they should not be in jail. However, new meaning was brought to this claim this past year when a person contacted us claiming that he remained in a provincial correctional facility because a court official had committed an error in reporting a judge's decision.

We asked the Court Services Manager to have someone look into this man's claim that he was wrongly incarcerated. A few hours later, we were advised that the tape of the Judge's decision confirmed that this man was correct in his claim. As a result of this Office's intervention, the Court Services Branch took immediate action to correct the error, and the man was released from custody.

The apology that Court Services staff subsequently issued to this man was appropriate and outlined what had been done to correct the error once it had been discovered. Prompt corrective action of this type by an authority demonstrates the authority's intention to treat people fairly. ■

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- If the Pension Corporation knows its information may not be sufficiently complete or accurate for reliance, what kind of notice or warning should it give to members who need estimates? Can the Pension Corporation provide a member with a more detailed explanation of the information used to reach an estimate so that the member has the chance to notice any possible errors or omissions?
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We asked the Court Services Manager to have someone look into this man's claim that he was wrongly incarcerated. A few hours later, we were advised that the tape of the Judge's decision confirmed that this man was correct in his claim. As a result of this Office's intervention, the Court Services Branch took immediate action to correct the error, and the man was released from custody.

The apology that Court Services staff subsequently issued to this man was appropriate and outlined what had been done to correct the error once it had been discovered. Prompt corrective action of this type by an authority demonstrates the authority's intention to treat people fairly. ■

Case Study

Ombudsman Advises Agency Officials of Errors and Omissions That May Result in an Unfairness

Some errors have serious consequences for the person affected. If an error made by a Public Agency has resulted in undue hardship, the Ombudsman's Office can investigate to ensure that the Public Agency is not improperly exercising its power.

A simple error jeopardizes a student's post secondary education program.

A student who had been on three weeks' medical leave from his two-year post secondary education program contacted the Ombudsman's Office when he learned that the student loan for support and shelter from the Ministry of Advanced Education's Student Services Branch had been terminated. The student had been informed that he was required to submit a re-application to obtain further assistance.

The student stated that Student Services Branch officials had erred in prematurely terminating his loan status and that they had failed to provide timely information regarding re-application, which had caused the student to miss the deadline for re-application. The student said that as a result he could not support himself and his family and would therefore be unlikely to complete the remaining six weeks of the program and graduate.

In response to our investigation, the file was given to the Manager of Operations for immediate review. We were advised the following day that the file errors had been remedied and that a financial award would be forthcoming, thus resolving the student's concerns. ■

Case Study

Ombudsman has Authority to Access Information and to Identify and Raise Fairness Concerns

The complaints received by the Ombudsman's Office are many and varied. Although the solution to a complaint may not seem obvious, it is sometimes simply a question of knowing who has the authority to resolve a matter and to then contact that person.

The *Ombudsman Act* gives the Ombudsman the authority to access information and to identify fairness concerns, which can result in matters being resolved without further investigation.

A person visiting BC from Alberta was advised that his seizure assist dog could not accompany him on BC Transit buses as the dog was not registered in BC. The person explained that his guide dog is certified in Alberta to accompany him on the Edmonton Transit System. However, as no national standards exist, BC Transit was insisting that his dog had to be registered in BC. The person expressed concern that BC Transit's requirement for certification was unreasonable.

BC Transit officials agreed to follow up on the man's concerns. Following acquisition of supporting documentation from the man and information from Edmonton Transit, they agreed to issue a letter authorizing him to ride local area buses in the company of his Alberta-certified assistance dog. ■

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Ombudsman May Review Complaints about Appeals Conducted by Public Agencies

The Ombudsman can investigate appeal decisions to determine if the decision conforms to fairness principles. The Ombudsman will not usually initiate an investigation while the appeal process is ongoing. We will advise people to contact us after an appeal process is complete if there are unfairness concerns.

Have you exercised your right to appeal a decision within the public school system?

We receive many complaints from students and parents about the decisions and actions of school district staff and officials. If the concerned student or parent has not appealed the matter through the school board's appeal process, we normally decline to investigate pending the outcome of the appeal. We also advise the person to contact us again if there is a concern about the fairness of the appeal process.

The focus of our investigations about appeal decisions is on whether the appeal body's decision conforms to the Ombudsman's fairness principles. To conform to the Ombudsman's standards of fairness, an appeal body's decision-making process must meet the following tests:

- Did the appeal body exercise appropriate discretion in reaching a particular decision? That is, was the decision based on established standards to ensure that similar situations are treated consistently and different situations are treated individually?
- Did the person have the opportunity to present relevant information and to be heard by the appeal body?
- Was the person given reasons for the appeal body's decision?
- Was the decision reasonable?

When making a decision about the "reasonableness" of an agency or appeal body's decision, the Ombudsman's Office applies a test we refer to as the "reasonableness test," where we look at the decision to assess its reasonableness in light of the information available to the decision-maker. A mere difference of opinion about how the evidence should be assessed is not sufficient to render a decision unreasonable. In assessing reasonableness, we first review the information available to the decision-maker at the time the decision was made. We then ask whether a reasonable person, after considering this information, would come to the same conclusion as the decision-maker. If the answer is yes, we do not pursue the matter further. If the answer is no, we may seek to have the decision reconsidered or reversed. It is important to note that the *Ombudsman Act* gives the Ombudsman the authority to make recommendations; we do not have the authority to order that a decision be reversed. ■

Case Study

Ombudsman Intervenes When the Public Has Nowhere Else to Turn

The Ombudsman's Office is often called upon to review matters where there is no clear avenue of redress. These matters can often be personal and of great significance to the individual affected. The *Ombudsman Act* ensures the confidentiality of contacts to our Office.

A man whose name and identification was assumed by another person ended up in jail for nine days. To whom could he turn? This was one person's experience.

Late one Friday afternoon we received a call from an inmate in a correctional centre who stated that he was calling on behalf of Mr. Y, another inmate. The caller believed that Mr. Y had been arrested and placed in custody due to a case of mistaken identity. The caller stated that Mr. Y had suffered a stroke two years ago and is hearing impaired. He said that someone else had been using Mr. Y's name and identification for quite some time and that the wrong person had been arrested.

Upon receiving this complaint, we immediately contacted an Inspector with the Investigation, Inspection and Standards Office, a body that investigates correctional matters under the authority of the *Corrections Act*. We provided the Inspector with a brief report summarizing the pertinent information related to this issue.

The Inspector immediately contacted the District Director for the correctional facility where Mr. Y was being held. The District Director commenced an expedited investigation into the matter and confirmed the error. He contacted a Justice of the Peace, who voided the legal holding document. As a result of the prompt action of all parties involved, Mr. Y was set free the following morning. ■

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Case Study

Ombudsman Steps in to Resolve Overlapping or Conflicting Jurisdictional Issues

The Ombudsman advocates for fair treatment. The Ombudsman investigates complaints of unfairness when a decision, action or policy involves more than one government agency.

Families eligible for income assistance receive a "BC Family Bonus" for each dependent child in the household. The federal government administers the BC Family Bonus program. When a child leaves a parent's care, the parent is normally expected to advise the federal government. The federal government then redirects the BC Family Bonus to the person who has assumed responsibility for the child's care.

We received complaints from single parents where both the provincial and the federal governments demanded reimbursement for the same family bonus overpayment. To whom could they turn for help?

A parent placed her child into care voluntarily while receiving income assistance benefits. The child's social worker apparently advised the parent to delay notifying the federal government until the child's alternative placement could be determined. As the parent had continued to receive the BC Family Bonus while she was technically not eligible for it, the Ministry of Human Resources initiated action under the Income Assistance Regulation to recover the Bonus payments through a monthly deduction on her income assistance cheque.

The injustice occurred when the parent later received notice from the federal government that she had been overpaid the BC Family Bonus for the time that her child had been in care and that she would have to repay the money. Although the parent advised the federal government that this money had already been deducted from her provincial income assistance cheque, she was told that she would have to take the matter up with BC's Ministry of Human Resources. Ministry officials subsequently advised the parent that the BC Family Bonus payments had been deducted in accordance with the Regulation and that the Ministry could do nothing for her.

The parent contacted the Ombudsman's Office with a complaint that she had been put into the overpayment situation based on advice given by the child's social worker with the full knowledge of the Ministry of Human Resources. She said that the Ministry had failed to warn her that her continued receipt of the BC Family Bonus would result in indebtedness to the federal government.

On the basis of complaints we received about this matter, we initiated an investigation. This case illustrated that even where a program has been designed and implemented by two levels of government to provide extra financial assistance to those in need, an unfairness may occur in individual cases. Both levels of government were acting lawfully and according to their statutory authority in seeking recovery from the single parent, yet the effect of the interaction of the two programs was that parents were, on some occasions, receiving less money than they would have been entitled to without a program. Extra money turned into less money.

During the course of our investigation the Ministry agreed to avoid further injustices of this type by changing its Regulation to render the BC Family Bonus exempt from income calculation. The result of this change is that any Ministry client receiving the BC Family Bonus while not eligible to do so would not have the extra income deducted from their income assistance benefits and would only be subject to repayment action taken by the federal government.

After lengthy negotiations, Ministry officials also agreed to reimburse the parent. ■

Case Study

Ombudsman's Office Intervenes in Communication Breakdowns

The Ombudsman's Office often resolves complaints by facilitating communication between Public Agency officials and the public. Restoring effective communication often breaks down barriers and leads to changes in a person's perception of the Public Agency's actions.

A person on income assistance contacted the Ombudsman's Office with a complaint that he had been treated unfairly when he was denied a request for a refund of the $156 small claims court fee he had paid several months earlier.

We advised the person that Small Claims Rules have a provision for a waiver of fees for persons who cannot afford to pay them. However, a person is not entitled to a waiver of the filing fees as a matter of right. Instead, one must apply for that exemption. The registrar – or, if necessary, a judge – will then determine whether the applicant qualifies for a waiver. The Manager of Court Services confirmed that receipt of income assistance does not necessarily qualify a person for an exemption from paying the filing fees. She said that in reviewing an application for a waiver, the Registrar takes into consideration the person's assets, liabilities and other relevant financial information.

The Manager informed us that she was not aware of any court decision that provided for the retroactive refund of fees. However, the Manager said that the complainant could make an application to a judge for a retroactive waiver. She offered to meet with the complainant to discuss the nature of the application and the kind of evidence required to establish that he could not afford to pay the fees when he filed the action. Given the Manager's willingness to intervene in this matter, we determined that further investigation was not necessary. ■

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Case Study

Ombudsman Intervenes When Public Agencies Act Outside Their Mandate

The actions of all public agencies are governed by legislation and policy. The Ombudsman investigates the actions of Public Agencies to determine if they are consistent with the requirements of their legislation and policy. The Ombudsman also reviews policy to determine if it meets fairness criteria.

The Ombudsman intervened in a number of cases where the Ministry of Human Resources had initiated collection action for money that people did not actually owe.

In early 2002 the Ministry of Human Resources undertook new initiatives to collect outstanding debts. Although this Office endorses reasonable initiatives by government to collect debts properly owed, our investigations revealed circumstances where Ministry officials had identified persons as owing a debt where there was no evidence of the fraudulent collection of benefits, or owing a debt due to an error on the part of the Ministry which resulted in overpayment of a benefit. In assessing the fairness of the government's collection processes, the Ombudsman proceeded with its investigation on the grounds that the debt must be properly calculated in accordance with the legislation in place at the time, that the delay in the collection action must not exceed time limits imposed by legislation, and that the person must not have been disadvantaged due to any delay.

A person contacted the Ombudsman's Office stating that she believed that the Ministry had erred in demanding that she repay $37,000 in benefits that she had received while fostering three children. The woman stated that when she had applied for income assistance, she had followed the instructions she was given for reporting the income she received for fostering the children. She then received regular income assistance payments over the course of the next few years until she became employed and no longer required financial help.

In the course of investigating this matter we noted that payments to foster parents were broken down into two parts: one part is intended to cover the children's food, clothing, transportation, recreation, and educational needs; the other part is to compensate foster parents for their work. Under the legislation in place at the time, it appeared that only the second part should have been considered as income, not both parts. The assessment of the foster parent's eligibility was not straightforward, as it had to be calculated under the *Guaranteed Available Income for Need Act* and the *BC (Income Assistance) Act* in force during the period she was in receipt of benefits. Ministry officials agreed to review the matter and subsequently determined that the woman was in fact eligible for the income assistance that she had received. Ministry officials acknowledged that she did not owe a debt and wrote a letter of apology to her, thus resolving the matter. ■

Case Study

Clarity – A Fairness Principle

The Ombudsman's Office can investigate matters involving a lack of clarity about entitlement to a particular service or coverage for an injury, illness or disability. Persons receiving mixed messages about which agency should take responsibility for paying a legitimate claim can contact the Ombudsman's Office.

Who pays for injuries from a motor vehicle accident when it is determined that one or both parties is a "worker" as defined by the *Workers Compensation Act*? If WCB staff determine that both parties were "workers" at the time of the accident, the injured parties must pursue their claims through the WCB. If the driver of one of the vehicles was not a "worker," the party who was deemed to be a "worker" can choose to have the WCB handle their claim or they can pursue their claim through the Insurance Corporation of British Columbia (ICBC).

Determining the status of a "worker" as defined in the *Workers Compensation Act* became a serious issue for two women who were injured in a motor vehicle accident. The following describes their dilemma.

The two women were driving to a work-related appointment when their vehicle was rear-ended by a truck. When they attempted to file an ICBC claim, the driver of the car was advised that she could not file an ICBC claim but must go through the WCB. A WCB adjudicator had determined that at the time of the accident the driver of the truck was a "worker" as defined in the *Workers Compensation Act*. The passenger in the car, on the other hand, was advised that she could elect to file a claim through ICBC as her WCB adjudicator had determined that the truck driver was not a "worker" at the time of the accident.

We received complaints from both the driver and her passenger about the inconsistency in decision-making within the WCB and about the lack of clarity as to whether they could pursue their claims through ICBC.

In the course of our investigation we contacted both ICBC and the WCB and discussed the possibility of having a single adjudicator re-consider the two claims to ensure that there was consistency as to the truck driver's status. The WCB subsequently determined that at the time of the accident the man was not actually working and thus was not covered by the WCB. Both women were therefore able to elect to file their claim with ICBC for the injuries they had received, although they could have had the WCB pursue the claim on their behalf had they elected that option. ■

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Case Study

Ombudsman's Reports Inform the Public

A Public Report is a mechanism used by the Ombudsman to inform the public of an outstanding unresolved unfairness or of a settled matter that is of sufficient public interest to warrant informing the public. Public Reports generally contain specific recommendations related to the fairness of a public body's administrative processes. A follow-up report may be issued to advise the public of a Public Agency's response to the report.

Public Reports are available on our website at: www.ombudsman.bc.ca

The following is an example of a decision by the Ombudsman to issue a Public Report with recommendations and the subsequent issuing of a follow-up report to advise the Public of a matter of public interest.

In January 1999 our Office issued *Public Report No. 37: Fair First – An OmbudsAudit of the WCB Ombudsman*. The report outlined 79 recommendations made to the Workers' Compensation Board (WCB) following our investigation into the Office of the WCB Ombudsman (WCBO). Our Office made recommendations to clarify the role of the WCBO and to promote confidence in the independent and impartial nature of reviews conducted by the WCBO. We asked the WCB to commit to the recommendations of *Public Report No. 37* within six months. We also recommended that the title of the WCBO be amended to remove the word "ombudsman" if the WCB did not make the recommended changes to the WCBO within 12 months.

Discussions with the WCB continued over a three-year period, and the WCB ultimately decided not to accept the recommendations contained in *Fair First*. Accordingly, this Office requested that the WCB implement our recommendation to remove "ombudsman" from the title of its complaints office. This recommendation reflected our conclusion that the mandate of the WCBO was not legislated and carried no legal power to conduct investigations and that the WCBO was not impartial and independent from the WCB. On November 27, 2002, the WCB advised that the WCBO would be renamed the "WCB Complaints Office."

Although we remain disappointed that the WCB did not implement many of the 79 recommendations outlined in *Fair First*, we are satisfied with the WCB's decision to change the name of the WCBO to the WCB Complaints Office. The WCB concluded that it did not wish to extend the WCBO beyond a problem-solving office established to aid people in navigating through the WCB's system. ■

Case Study

The Application of International Law and United Nations Treaties, Instruments and Declarations

The information used by Ombudsman staff in the course of investigating complaints sometimes involves the application of International Law and United Nations Treaties, Instruments and Resolutions.

The Ombudsman's Office relies on provisions in the *United Nations Convention on the Rights of the Child* (UNCRC) as a tool in investigating complaints about any public service to children and youth. This Office has a longstanding tradition of promoting the rights articulated in the UNCRC. Canada is a signatory to the UNCRC, and it has been cited by the Supreme Court of Canada, although it lacks the force of law.

In addition to the UNCRC, this Office investigates complaints involving allegations of the breach of rights of children in care. Any complaint that a decision is contrary to the rights articulated in s.70 of the *Child, Family and Community Services Act* is a complaint about a decision that is contrary to law and thus falls within the jurisdiction of the Ombudsman to investigate. We continue to receive and to investigate complaints that the rights of a child in care have been breached.

We do not hold ourselves out as experts in the child welfare system; we respect the expertise of those public servants whose decisions are subject to our investigations. We do not investigate a matter on the basis that a person disagrees with the decision. We do not act as an appeal body, but if the decision itself is the result of inadequate or improper procedure, or if it appears to fail to meet the test of reasonableness, our investigation will include a review of the substance of the matter.

As a result of the provincial government's decisions to eliminate the Office of the Child, Youth and Family Advocate and the Children's Commission, the Ombudsman is now the only body external to government with responsibility to investigate complaints about the Ministry of Children and Family Development. While the focus of investigations by the Ombudsman is generally on the process that led to the decision in dispute, we ensure that decisions are made in accordance with legislation, policies and procedures and that the Ombudsman's standards of fairness are upheld. Fairness means ensuring that the views of a child or youth are heard and considered by the decision-maker, that reasons for a decision are provided, and that a review in good faith is available should the youth disagree with the decision itself. ■

Ombudsman's Reports Inform the Public

A Public Report is issued by the Ombudsman to inform the public of an investigation, conclusion or of a critical matter that is of sufficient public interest to warrant informing the public. Public Reports generally contain recommendations for improvements to the processes of a public body's administrative practices. Public Reports may be issued to advise the public of a Public Interest Disclosure.

Public Reports are available on our website at www.ombudsman.bc.ca

The following is an example of a decision by the Ombudsman to issue a Public Report with recommendations and the subsequent issuing of a follow-up report to advise the Public of a matter of public interest.

In January 1999 our Office issued *Public Report No. 37: Fair First – An OmbudsAudit of the WCB Ombudsman*. The report outlined 79 recommendations made to the Workers' Compensation Board (WCB) following our investigation into the Office of the WCB Ombudsman (WCBO). Our Office made recommendations to clarify the role of the WCBO and to promote confidence in the independent and impartial nature of reviews conducted by the WCBO. We asked the WCB to commit to the recommendations of *Public Report No. 37* within six months. We also recommended that the title of the WCBO be amended to remove the word "ombudsman" if the WCB did not make the recommended changes to the WCBO within 12 months.

Discussions with the WCB continued over a three-year period, and the WCB ultimately decided not to accept the recommendations contained in *Fair First*. Accordingly, this Office requested that the WCB implement our recommendation to remove "ombudsman" from the title of its complaints office. This recommendation reflected our conclusion that the mandate of the WCBO was not legislated and carried no legal power to conduct investigations and that the WCBO was not impartial and independent from the WCB. On November 27, 2002, the WCB advised that the WCBO would be renamed the "WCB Complaints Office."

Although we remain disappointed that the WCB did not implement many of the 79 recommendations outlined in *Fair First*, we are satisfied with the WCB's decision to change the name of the WCBO to the WCB Complaints Office. The WCB concluded that it did not wish to extend the WCBO beyond a problem-solving office established to aid people in navigating through the WCB's system. ■

The Application of International Law and United Nations Treaties, Instruments and Declarations

The Ombudsman's Office relies on provisions in the *United Nations Convention on the Rights of the Child* (UNCRC) as a tool in investigating complaints about any public service to children and youth. This Office has a longstanding tradition of promoting the rights articulated in the UNCRC. Canada is a signatory to the UNCRC, and it has been cited by the Supreme Court of Canada, although it lacks the force of law.

In addition to the UNCRC, this Office investigates complaints involving allegations of the breach of rights of children in care. Any complaint that a decision is contrary to the rights articulated in s.70 of the *Child, Family and Community Services Act* is a complaint about a decision that is contrary to law and thus falls within the jurisdiction of the Ombudsman to investigate. We continue to receive and to investigate complaints that the rights of a child in care have been breached.

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Case Study

Ombudsman's Concerns About Fairness Can Lead to an "Ombudsman Initiated" Investigation

A fairness issue raised by one or more complainants may lead to the Ombudsman making a decision to initiate a broader, systemic investigation. The Ombudsman may also decide that a complaint is of sufficient public interest to warrant an "Ombudsman Initiated" investigation. Section 10(1) of the *Ombudsman Act* provides the statutory authority for the Ombudsman to initiate his own investigations.

The provincial property assessment system (BC Assessment) provides property owners with a yearly estimate of each property's market value for local and provincial taxation purposes. Property owners are responsible for ensuring that the assessment data used to calculate their assessed value is accurate. However, many property owners are not aware of this responsibility.

Over the past several years the Office of the Ombudsman has received a number of complaints from property owners stating that errors in the data used to calculate assessments resulted in property tax overpayments.

Although the number of such complaints to our Office is not high, of concern was the regularity of such complaints. The Ombudsman initiated an investigation based on complaints from property owners who had paid increased property taxes because of assessment errors.

The complaints included property tax assessments where:

- A building's dimensions were identified as larger than actual size.
- "Building improvements" that had not taken place formed part of the assessment.
- Two buildings identified where only one building existed.
- A dwelling identified as having a basement when no basement existed.
- Inaccurate classification assigned to a property or to a portion of a property.

We apprised BC Assessment of our concerns about the unfairness of not informing property owners that it is the property owner's responsibility to ensure that the data used to calculate their assessment is accurate.

As a result of discussions with BC Assessment officials, BC Assessment amended the *Assessment Insert* included in all assessment notices to now inform property owners of their responsibility to ensure that their assessment is based on correct data. This addition to the *Assessment Insert* advises property owners to access detailed property and building data through their local assessment office and to raise any concerns about data with the local assessment office. It also advises property owners that BC Assessment will make a recommendation, on behalf of the property owner, to a property assessment review panel proposing that it change the assessment for that year if it is determined that the assessment was based on incorrect information. ■

Case Study

Ombudsman May Request Revisions to Draft Legislation

The Ombudsman may sometimes assist government in identifying shortcomings in legislation or policy. Although it is not the Ombudsman's mandate to investigate decisions of the Legislature, the Ombudsman may make suggestions to enhance the fairness of legislation.

Complaints to the Office of the Ombudsman can generate changes that are broad in scope. One such case involved changes to the *Residential Tenancy Act*, which at the time was under review by the provincial government.

A person complained that he was adversely affected by a decision of an arbitrator acting under the terms of the *Residential Tenancy Act*. The man stated that the property line between his manufactured home and that of his neighbour had been changed as a result of an arbitration decision involving the neighbour and the landlord of the manufactured home park. Although the man was adversely affected by the decision, he was not provided notice of the hearing and was therefore unable to present his case to the arbitrator.

In the course of investigating this matter, it was determined that the *Residential Tenancy Act* contained no provision for the notification of a third party that may be affected by an arbitrator's decision.

Staff contacted the Ministry about a concern that the current legislation did not afford persons who were likely to be affected by an arbitrators' decision with the right to be heard in the course of the arbitration process. The Ministry was asked if it would be prepared to consider adding a provision to the draft legislation to enable persons who may be adversely affected by an arbitrator's decision to have the opportunity to present their case prior to an arbitrator making her/his decision. The Ministry subsequently included a section in the proposed *Act*, stating:

> 64(4) If, in an arbitrator's opinion, another tenant of a landlord who is a party to an arbitration will be or is likely to be materially affected by the outcome of the arbitration, the arbitrator may (a) order that the other tenant be given notice of the arbitration, and, (b) provide that other tenant with an opportunity to be heard in the arbitration."

Once Bill 70 was introduced and had proceeded through second reading in the Legislature, we considered the matter resolved and closed our file. ■

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Ombudsman May Recommend *Ex Gratia* or Other Form of Supplemental Payment

The Ombudsman takes the position that a Public Agency's lack of funds is not an acceptable reason to deny a person's right to be treated fairly. Although an Agency official may incorrectly assume that the money to right a wrong is simply not available, senior government officials have the authority to approve special payments to situations where persons are entitled to redress owed as a result of decisions rendered by duly authorized decision makers, including tribunals and appeal bodies.

Complaints to the Ombudsman may not only provide a resolution for the person affected but can sometimes lead to policy changes that assist the authority in ensuring that its services and programs are administered fairly.

Appeal decisions sometimes reverse the initial decisions of government officials. An authority's failure to implement the revised decision of a tribunal or other appeal body may result in an investigation by the Ombudsman.

A case in point involved a complaint from a former director and employee of one of a group of companies that had gone out of business. The man complained that the Employment Standards Branch had refused to implement the Employment Standard Tribunal's decision that his former employer owed him wages.

Branch officials had earlier determined that the man was not an "employee" under the terms of the *Employment Standards Act*. Therefore, he had received no compensation when the wages, recovered by the Branch on behalf of former employees of the companies, were dispersed to the remaining "employees." However, he had appealed the decision to the Employment Standards Tribunal, which reversed the Branch's decision and held that he was an employee. The man then requested payment, with interest, for his proportional share of the distribution. As the money had already been paid out and no funds remained from the collection process to pay the compensation, the Branch refused to implement the Tribunal's decision.

In response to our investigation of this matter, the Branch agreed to pay the man the proportionate share of wages, plus interest, from the Branch's budget. In addition, to prevent a recurrence of this type of problem, the Branch also clarified its policy with respect to the definition of "employee." The new policy noted that a person holding the position of director of an employer corporation may, in some circumstances, be considered an employee for the purpose of making a claim under the *Employment Standards Act* for wages owed by the employer corporation. The new policy also addressed the problem of distributing funds prior to the completion of any appeals related to the distribution determination. ■

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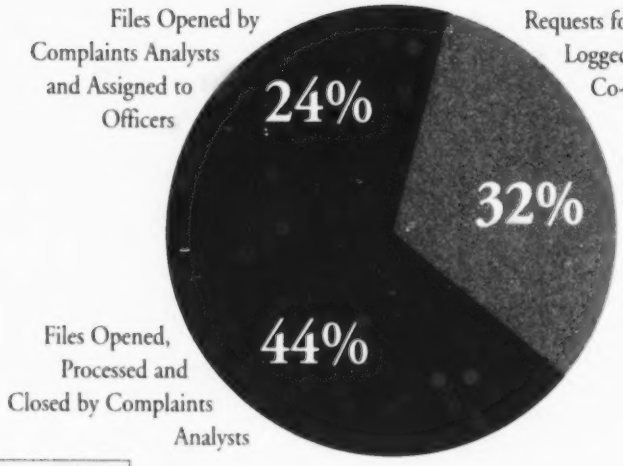
How Intakes Were Processed

Total Intakes: 10,281


Files Opened by Complaints Analysts and Assigned to Officers
24%
Requests for Information Logged by Call Co-ordinators
32%
Files Opened, Processed and Closed by Complaints Analysts
44%

Requests for help coming into the Office of the Ombudsman

Written requests by letter and Internet complaint form

Phone calls and people coming to the Office in person

Call Co-ordinators
Process phone calls and walk-ins

Further assistance required – pass information to Complaints Analysts

Call Co-ordinator able to answer question or make referral

Call Co-ordinator logs a request for information
(**3,341** requests for information were logged by Call Co-ordinators)

Complaints Analysts
Collect information and open files
(**6,940** files were opened by the Complaints Analysts)

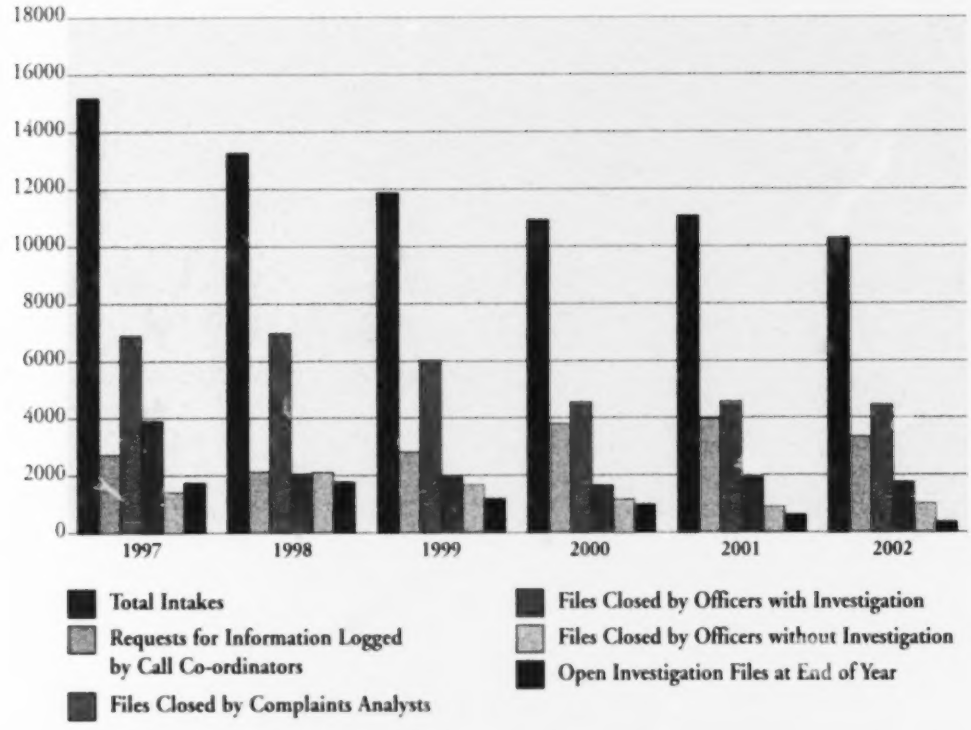
File not closed at intake – assigned to an Officer

File closed at intake (referrals, enquiries, non-jurisdictional, etc.)

Complaints Analyst closes the file
(**4,448** files were closed at intake by the Complaints Analysts)

Ombudsman Officers
Investigate complaints
(**2,492** new cases were assigned to Ombudsman Officers)

Office Case Load

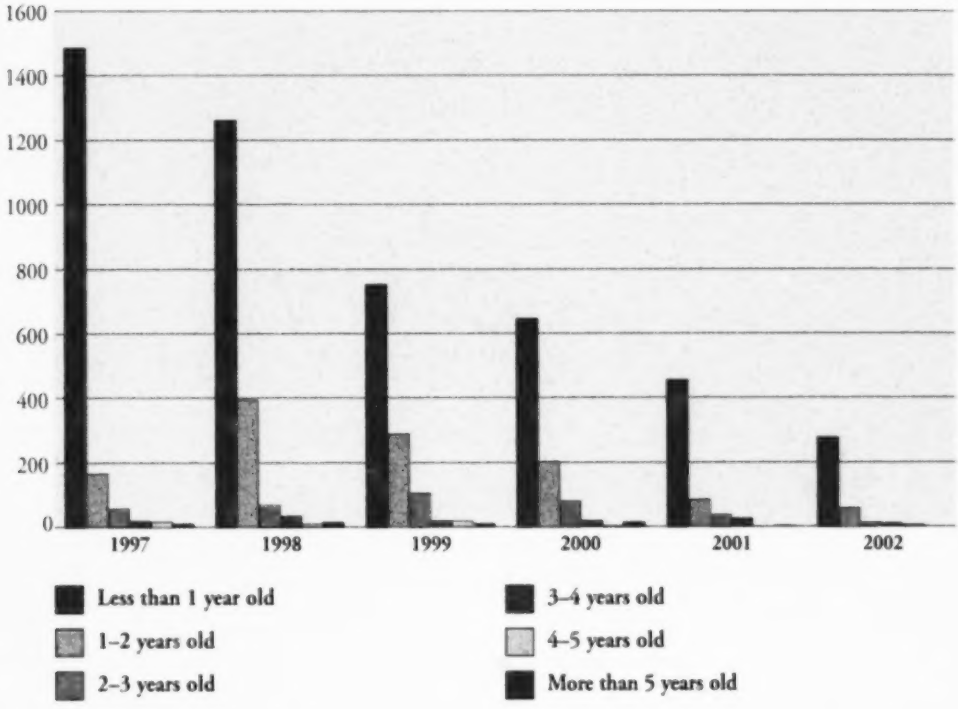


Breakdown of Office Case Activity

	1997	1998	1999	2000	2001	2002
Open at the beginning of the year	**1,509**	**1,755**	**1,779**	**1,191**	**964**	**605**
Requests for Information – Jurisdictional	989	1,248	1,590	2,212	2,098	1,739
Requests for Information – Non Jurisdictional	1,753	884	1,237	1,585	1,852	1,602
Files Opened – Jurisdictional	11,313	10,179	8,297	6,582	6,597	6,405
Files Opened – Non Jurisdictional	1,132	941	742	526	501	535
Total Intakes	**15,187**	**13,252**	**11,866**	**10,905**	**11,048**	**10,281**
Requests for Information Logged by Call Co-ordinators	2,742	2,132	2,827	3,797	3,950	3,341
Files Closed by Complaints Analysts	6,880	6,963	6,014	4,544	4,566	4,453
Total Closed at Intake	**9,622**	**9,095**	**8,841**	**8,341**	**8,516**	**7,794**
Files Closed by Officers With Investigation	3,919	2,050	1,959	1,646	2,009	1,751
Files Closed by Officers Without Investigation	1,431	2,111	1,675	1,170	907	1,000
Total Closed by Officers	**5,350**	**4,161**	**3,634**	**2,816**	**2,916**	**2,751**
Files Reopened	**31**	**28**	**21**	**25**	**25**	**20**
Open at the end of the year	**1,755**	**1,779**	**1,191**	**964**	**605**	**361**

Age Distribution of Open Files

Number of Open Files

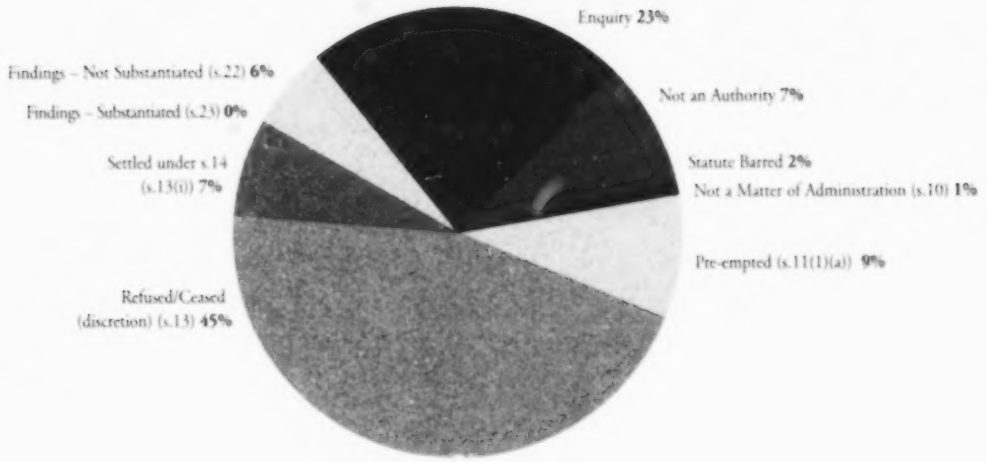


Number of Files Open at the End of Each Year

	1997	(%)	1998	(%)	1999	(%)	2000	(%)	2001	(%)	2002	(%)*
Less than 1 year old	1,485	(85%)	1,260	(71%)	752	(63%)	646	(67%)	455	(75%)	276	(76%)
1–2 years old	166		394		287		203		84		58	
2–3 years old	57		67		105		79		37		12	
3–4 years old	20	(15%)	35	(29%)	19	(37%)	19	(33%)	25	(25%)	9	(24%)
4–5 years old	17		10		18		3		1		5	
More than 5 years old	10		13		10		14		3		1	
Total open files	**1,755**		**1,779**		**1,191**		**964**		**605**		**361**	

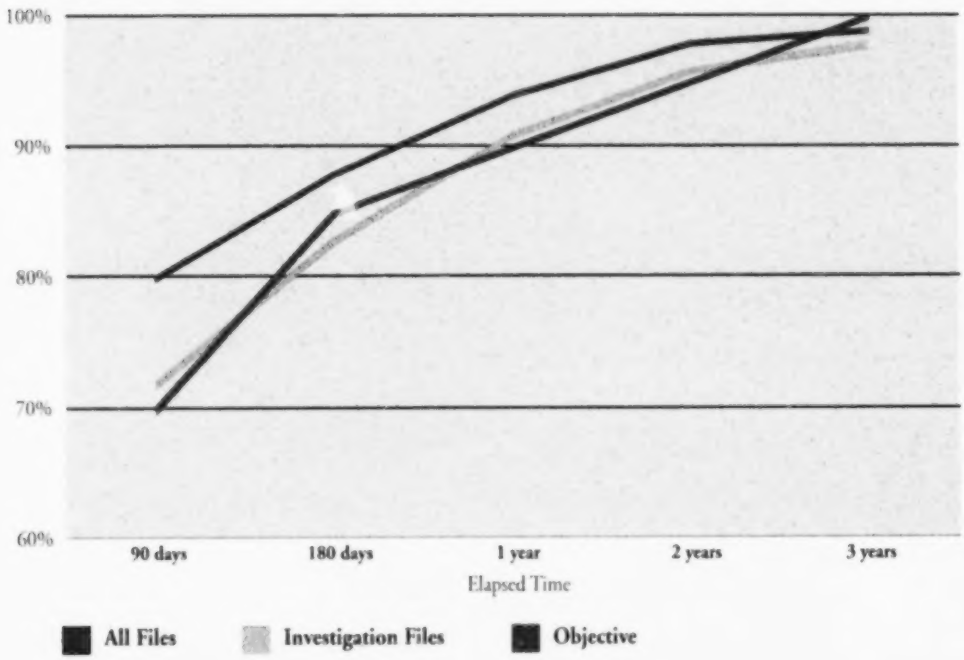
*Performance Measure introduced September 2002 set an objective to have less than 20% of open files more than one year old.

How Files Were Closed


Enquiry 23%
Not an Authority 7%
Statute Barred 2%
Not a Matter of Administration (s.10) 1%
Pre-empted (s.11(1)(a)) 9%
Refused/Ceased (discretion) (s.13) 45%
Settled under s.14 (s.13(i)) 7%
Findings – Substantiated (s.23) 0%
Findings – Not Substantiated (s.22) 6%

Closing Status	No Investigation	Investigation	Total
Enquiry	1692	NA	**1692**
Not an authority	503	NA	**503**
Statute barred	134	NA	**134**
Not a matter of administration (s.10)	54	7	**61**
Pre-empted (s.11(1)(a))	631	32	**663**
Refused/Ceased (discretion) (s.13)	2439	737	**3176**
s.13(a)	0	0	0
s.13(b)	20	1	21
s.13(c)	1771	127	1898
s.13(d)	0	0	0
s.13(e)	361	515	876
s.13(f)	71	41	112
s.13(g)	75	21	96
s.13(h)	141	32	173
Settled under s.14 (s.13(i))	NA	525	**525**
Findings - Substantiated (s.23)	NA	0	**0**
Findings - Not Substantiated (s.22)	NA	450	**450**
Total Files Closed in 2002	**5,453**	**1,751**	**7,204**

Files Closed

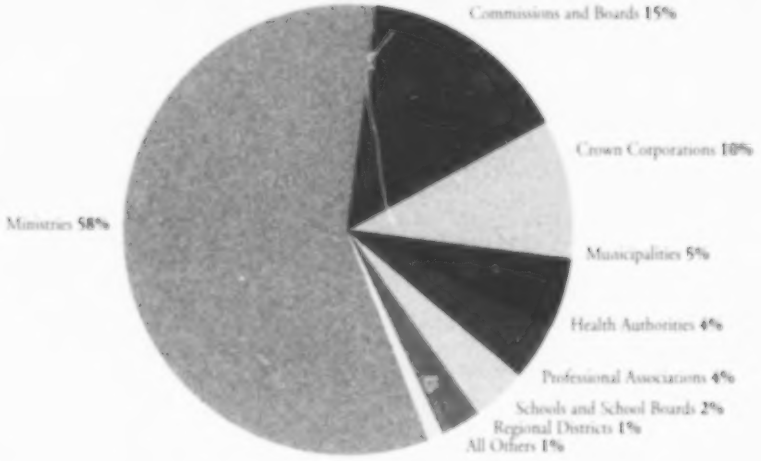


	Closed within 90 days		Within 180 days		Within 1 year		Within 2 years		Within 3 years	
	Files	%	Files	%	Files	%	Files	%	Files	%
Investigation Files	1258	72%	1441	83%	1582	91%	1682	96%	1719	98%
All Files	2186	80%	2412	88%	2566	94%	2668	98%	2706	99%
Objective		70%		85%		90%		95%		100%

Note: These Performance Objectives apply to the Investigative teams, so files closed at Intake are not included in these numbers.

Files Closed

Authority Distribution



Ministries (58%)

Ministry of Human Resources	39%
Ministry of Public Safety and Solicitor General	19%
Ministry of Children and Family Development	17%
Ministry of Attorney General	7%
Ministry of Health Services	6%
Ministry of Transportation	2%
Ministry of Provincial Revenue	2%
Ministry of Skills Development and Labour	2%
Ministry of Advanced Education	1%
Ministry of Forests	1%
Ministry of Water, Land and Air Protection	1%
Ministry of Community, Aboriginal and Women's Services	1%
Other Ministries	3%

Commissions and Boards (15%)

Workers Compensation Board	54%
Public Guardian and Trustee	10%
Workers Compensation Review Board	8%
BC Housing	4%
Human Rights Commission	4%
Labour Relations Board	2%
Pension Corporation	2%
Emergency Health Services Commission	1%
Financial Institutions Commission	1%
Private Post-Secondary Education Commission	1%
BC Utilities Commission	1%
Other Commissions and Boards	12%

Crown Corporations (10%)

ICBC	60%
BC Hydro	29%
BC Assessment	3%
Land and Water British Columbia Inc.	2%
BC Transit	1%
BC Lottery Corporation	1%
Homeowner Protection Office	1%
Forest Renewal BC	1%
Other Crown Corporations	2%

Municipalities (5%)

City of Vancouver	10%
City of Surrey	5%
City of Courtenay	4%
City of Abbotsford	4%
City of Nanaimo	4%
City of Victoria	4%
Township of Langley	4%
City of Chilliwack	3%
City of Richmond	3%
City of Coquitlam	3%
Corporation of Delta	3%
City of Burnaby	2%
Other Municipalities	53%

Health Authorities (4%)

Interior Health Authority	22%
Fraser Health Authority	20%
Vancouver Island Health Authority	20%
Vancouver Coastal Health Authority	20%
Provincial Health Services Authority	14%
Northern Health Authority	5%

Professional Associations (4%)

College of Physicians and Surgeons of BC	37%
Law Society of British Columbia	35%
College of Dental Surgeons of BC	6%
College of Psychologists of BC	4%
Registered Nurses Association of BC	4%
Association of Professional Engineers and Geoscientists	1%
College of Licensed Practical Nurses of BC	1%
College of Registered Psychiatric Nurses of BC	1%
College of Teachers	1%
Institute of Chartered Accountants of BC	1%
Other Professional Associations	8%

Schools and School Boards (2%)

School District 39 (Vancouver)	9%
School District 48 (Howe Sound)	5%
School District 61 (Greater Victoria)	5%
School District 05 (Southeast Kootenay)	4%
School District 28 (Quesnel)	4%
School District 36 (Surrey)	4%
School District 57 (Prince George)	4%
School District 59 (Peace River South)	4%
School District 73 (Kamloops/Thompson)	4%
School District 08 (Kootenay Lake)	3%
School District 23 (Central Okanagan)	3%
School District 33 (Chilliwack)	3%
School District 68 (Nanaimo-Ladysmith)	3%
School District 93 (Conseil Scolaire Francophone)	3%
Other School Districts	43%

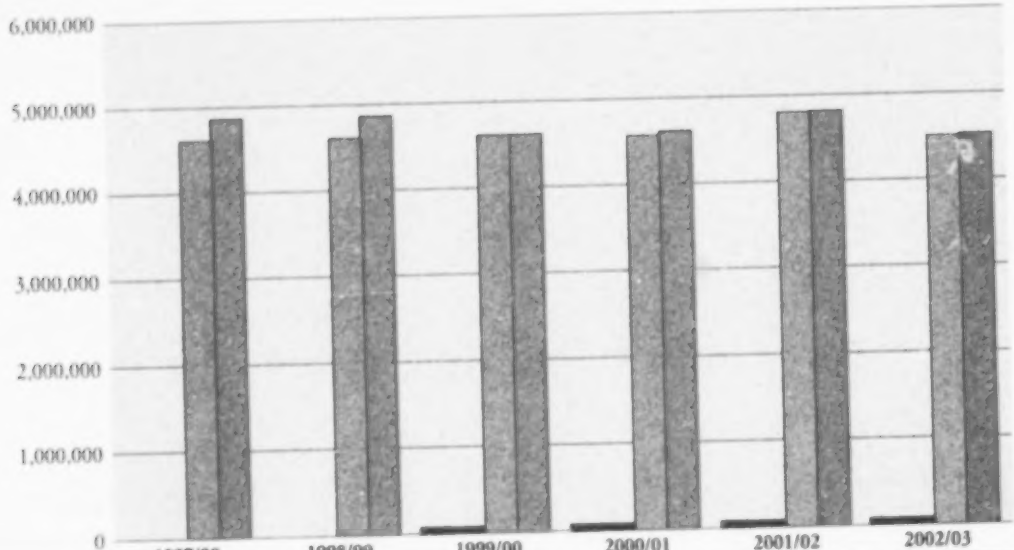
Regional Districts (1%)

Capital Regional District	14%
Cowichan Valley Regional District	14%
Okanagan-Similkameen Regional District	9%
Central Okanagan Regional District	7%
Comox-Strathcona Regional District	7%
Nanaimo Regional District	7%
Fraser Valley Regional District	6%
Other Regional Districts	35%

All Others (1%)

Colleges	46%
Universities	29%
Improvement Districts	12%
Islands Trust	10%
Libraries	2%
Regional Parks Boards	1%

Budget Summary



	1997/98	1998/99	1999/00	2000/01	2001/02	2002/03
Actual Capital Expenditure			48,000	52,000	59,000	58,000
Capital Budget			54,000	54,000	59,000	59,000
Actual Operating Expenditure	4,680,000	4,680,000	4,663,000	4,530,000	4,760,000	4,514,000
Operating Budget	4,807,000	4,829,000	4,663,000	4,610,000	4,765,000	4,548,000
FTEs	50	50	50	50	50	50

Notes

The operating budget for 1997/98 includes $132,000 accessed from the contingencies vote to assist with upgrading computer systems.

The operating budget for 1998/99 includes adjustments made to implement amortization of the capital costs of computer hardware and software.

The operating budget for 1999/00 includes $8,000 accessed from contingencies to adjust for an inadequate allocation for amortization expenditures.

A separate capital budget was introduced in 1999/00 for computer hardware and software purchases.

2002 Authority Details

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01 Jan 2002	Requests for Information in 2002	Files Closed in 2001							Files Open as of 31 Dec 2002
			Enquiries	"Declined (s.10, 11)"	Refused/ Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Files Closed	
MINISTRIES	**248**	**1406**	**899**	**601**	**1843**	**318**	**193**	**0**	**3854**	**197**
Ministry of Advanced Education	6	2	18	2	19	13	5	0	57	2
Ministry of Agriculture, Food and Fisheries	0	1	8	1	0	2	0	0	11	0
Ministry of Attorney General	16	34	52	23	148	28	11	0	262	9
Ministry of Children and Family Development	53	7	118	7	449	52	12	0	638	38
Ministry of Community, Aboriginal and Women's Services	5	8	12	0	7	3	1	0	23	2
Ministry of Competition, Science and Enterprise	1	8	6	0	5	1	0	0	12	1
Ministry of Education	1	2	4	0	3	0	0	0	7	2
Ministry of Energy and Mines	4	0	2	0	2	0	0	0	4	2
Ministry of Finance	3	3	5	1	2	4	3	0	15	0
Ministry of Forests	10	0	8	0	16	7	9	0	40	8
Ministry of Health Planning	2	1	3	2	4	0	0	0	9	2
Ministry of Health Services	14	10	116	3	51	37	19	0	226	13
Ministry of Human Resources	42	92	252	531	592	79	49	0	1503	59
Ministry of Management Services	0	8	0	0	1	0	1	0	2	1
Ministry of Provincial Revenue	18	0	31	3	23	10	18	0	85	6
Ministry of Public Safety and Solicitor General	37	1120	180	18	471	49	31	0	749	21
Ministry of Skills Development and Labour	5	106	36	5	18	15	2	0	76	4
Ministry of Sustainable Resource Management	6	0	6	0	6	3	1	0	16	4
Ministry of Transportation	18	1	25	5	20	10	26	0	86	17
Ministry of Water, Land and Air Protection	7	3	17	0	6	5	5	0	33	6
COMMISSIONS AND BOARDS	**108**	**134**	**310**	**148**	**342**	**91**	**97**	**0**	**988**	**55**
BC Benefits Appeal Board	0	0	0	0	1	0	2	0	3	0
BC Housing	0	0	8	0	30	1	4	0	43	1
BC Review Board	1	0	0	0	1	0	1	0	2	0
BC Securities Commission	1	0	5	0	1	0	0	0	6	1
BC Utilities Commission	0	46	9	0	1	0	0	0	10	0
Board of Examiners in Optometry	0	0	1	0	0	0	0	0	1	0
Board of Examiners in Podiatry	0	0	1	0	0	0	0	0	1	0
Board of Hearing Aid Dealers and Consultants	0	0	0	0	1	0	0	0	1	1
Board of Parole	0	0	1	0	6	1	1	0	9	0
Children's Commission	2	3	0	0	1	0	1	0	2	0
College Pension Board of Trustees	0	0	0	0	1	1	0	0	2	0
Community Care Facility Appeal Board	1	0	0	0	0	0	1	0	1	0
Community Social Services Employers Association	0	0	1	0	0	0	0	0	1	0

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01 Jan 2002	Requests for Information in 2002	Files Closed in 2001							Files Open as of 31 Dec 2002
			Enquiries	"Declined (s.10, 11)"	Refused/ Ceased (discretion) (s.15)	Settled under s.14 (s.15(1))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Files Closed	
Coroners Service	3	0	2	1	6	0	0	0	9	2
Emergency Health Services Commission	2	0	2	0	4	2	3	0	11	1
Employment Standards Tribunal	1	0	1	0	2	0	4	0	7	0
Employment and Assistance Appeal Tribunal	0	0	0	0	2	1	0	0	3	3
Environmental Appeal Board	2	0	0	0	0	0	2	0	2	0
Farm Practices Board	0	1	0	0	0	0	0	0	0	0
Financial Institutions Commission	0	15	7	0	4	0	0	0	11	0
Forest Appeals Commission	1	0	0	0	0	0	1	0	1	0
Health Employers Association of BC	1	0	1	0	0	1	0	0	2	0
Health Professions Council	1	0	1	0	0	0	0	0	1	1
Healthcare Labour Adjustment Agency	1	0	0	0	0	0	1	0	1	0
Human Rights Commission	9	17	15	2	10	3	10	0	40	1
Human Rights Tribunal	2	0	0	0	1	1	0	0	2	0
Industry Training and Apprenticeship Commission	0	0	0	0	3	2	2	0	7	0
Insurance Council of BC	1	3	5	0	2	0	0	0	7	0
Labour Relations Board	2	22	18	0	2	0	3	0	23	1
Land Reserve Commission	1	0	1	0	2	0	0	0	3	0
Motor Carrier Commission	0	0	3	1	4	0	1	0	9	0
Municipal Pension Board of Trustees	0	0	0	0	0	1	0	0	1	1
Pension Corporation	10	0	3	0	7	3	6	0	19	6
Premier's Office	0	1	3	0	2	0	0	0	5	0
Private Post-Secondary Education Commission	3	2	5	0	0	3	3	0	11	2
Property Assessment Appeal Board	0	0	3	0	0	0	1	0	4	1
Public Guardian and Trustee	13	3	25	0	57	8	7	0	97	3
Public Service Appeal Board	0	0	1	0	0	0	0	0	1	0
Public Service Employee Relations Commission	4	0	4	0	1	3	1	0	9	1
Public Service Pension Board of Trustees	0	0	0	0	0	1	0	0	1	1
Purchasing Commission	1	0	0	0	0	0	1	0	1	0
Real Estate Council	0	4	5	0	0	1	0	0	6	0
Teachers' Pension Board of Trustees	0	0	0	0	1	1	0	0	2	0
Translink	0	2	3	0	3	0	0	0	6	0
Travel Assurance Board	1	0	0	0	0	0	0	0	0	1
Workers Compensation Board	40	14	167	136	137	51	38	0	529	26
Workers Compensation Review Board	4	1	9	8	49	6	3	0	75	1
CROWN CORPORATIONS	**31**	**73**	**108**	**11**	**462**	**38**	**27**	**0**	**646**	**15**
BC Assessment	4	0	6	5	5	2	4	0	22	0
BC Buildings Corporation	2	0	1	0	2	0	0	0	3	0
BC Ferry Corporation	0	1	1	0	2	0	0	0	3	0
BC Hydro	4	14	24	1	140	13	12	0	190	2
BC Lottery Corporation	0	0	1	0	2	1	1	0	5	0
BC Rail	1	0	0	0	1	2	0	0	3	0
BC Transit	0	0	3	0	1	2	0	0	6	0
Forest Renewal BC	1	2	4	0	0	0	0	0	4	0
Homeowner Protection Office	2	1	2	0	1	0	2	0	5	3

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01 Jan 2002	Requests for Information in 2002	Files Closed in 2001							Files Open as of 31 Dec 2002
			Enquiries	"Declined (s.10, 11)"	Refused/ Ceased (discretion) (s.13)	Settled under s.14 (s.13(i))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Files Closed	
ICBC	10	54	62	5	305	11	4	0	387	6
Land and Water British Columbia Inc.	7	0	2	0	3	7	4	0	16	4
Tourism BC	0	1	2	0	0	0	0	0	2	0
MUNICIPALITIES	**68**	**5**	**54**	**72**	**130**	**15**	**41**	**0**	**312**	**23**
Bowen Island Municipality	0	0	0	0	1	0	0	0	1	0
City of Abbotsford	1	0	1	6	3	0	1	0	11	1
City of Burnaby	1	0	1	2	2	1	1	0	7	0
City of Castlegar	1	0	0	1	1	0	0	0	2	0
City of Chilliwack	1	0	2	2	4	1	0	0	9	0
City of Coquitlam	3	0	0	1	7	0	0	0	8	0
City of Courtenay	8	0	2	1	7	0	2	0	12	0
City of Dawson Creek	1	0	0	0	0	1	0	0	1	0
City of Fernie	0	0	1	0	1	0	0	0	2	0
City of Fort St. John	0	0	1	1	1	0	0	0	3	0
City of Grand Forks	1	0	0	0	0	0	0	0	0	1
City of Greenwood	0	0	1	0	0	0	0	0	1	0
City of Kamloops	0	0	0	1	1	0	1	0	3	0
City of Kelowna	0	0	0	1	3	0	0	0	4	0
City of Kimberley	1	0	0	0	0	0	1	0	1	0
City of Merritt	0	0	0	1	0	0	0	0	1	0
City of Nanaimo	1	0	3	2	5	0	1	0	11	0
City of Nelson	0	0	0	2	0	0	0	0	2	0
City of New Westminster	1	0	1	1	1	0	0	0	3	1
City of North Vancouver	0	0	1	0	0	0	0	0	1	0
City of Parksville	0	0	0	1	0	0	0	0	1	0
City of Penticton	2	0	0	1	2	0	1	0	4	1
City of Port Alberni	0	0	0	2	0	0	0	0	2	0
City of Prince George	3	0	1	2	0	1	2	0	6	3
City of Prince Rupert	0	0	0	0	1	0	0	0	1	0
City of Quesnel	1	0	0	0	2	0	0	0	2	0
City of Richmond	1	1	1	2	6	0	0	0	9	2
City of Rossland	0	0	1	0	1	0	0	0	2	0
City of Surrey	2	0	5	4	6	1	1	0	17	4
City of Terrace	0	0	0	0	1	0	0	0	1	0
City of Trail	0	0	1	0	0	0	0	0	1	0
City of Vancouver	3	2	3	16	11	1	1	0	32	1
City of Vernon	1	0	2	2	1	1	0	0	6	0
City of Victoria	3	0	2	4	4	0	1	0	11	0
City of White Rock	1	0	1	1	1	0	1	0	4	0
City of Williams Lake	0	0	0	1	1	0	0	0	2	0
Corporation of Delta	3	0	0	2	5	0	1	0	8	0
District of 100 Mile House	0	0	0	0	0	0	0	0	0	1
District of Campbell River	0	0	1	1	1	0	2	0	5	2
District of Central Saanich	0	0	0	0	2	0	1	0	3	0
District of Coldstream	0	0	0	0	2	0	0	0	2	0

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01 Jan 2002	Requests for Information in 2002	Files Closed in 2001							Files Open as of 31 Dec 2002
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District of Hope	0	0	3	0	2	0	0	0	5	0
District of Kitimat	0	0	0	0	2	0	0	0	2	0
District of Lake Country	2	0	2	0	0	0	1	0	3	0
District of Langford	1	0	0	0	3	0	1	0	4	1
District of Lillooet	0	0	0	0	1	0	1	0	2	0
District of Maple Ridge	1	0	0	0	1	1	0	0	2	0
District of Metchosin	0	0	0	0	1	0	0	0	1	0
District of Mission	0	0	0	1	1	0	0	0	2	0
District of North Cowichan	0	0	0	0	0	0	0	0	0	1
District of North Saanich	1	0	1	0	0	1	0	0	2	0
District of North Vancouver	1	0	0	0	2	1	1	0	4	1
District of Oak Bay	0	0	0	2	1	0	0	0	3	0
District of Peachland	1	0	0	0	2	0	1	0	3	0
District of Pitt Meadows	0	0	0	0	1	0	0	0	1	0
District of Port Edward	1	0	0	1	0	0	1	0	2	0
District of Port Hardy	0	0	0	0	1	0	0	0	1	0
District of Powell River	2	0	0	1	0	0	1	0	2	0
District of Saanich	2	0	1	1	2	0	1	0	5	0
District of Salmon Arm	0	0	1	0	1	0	0	0	2	0
District of Sechelt	0	1	0	0	1	0	2	0	3	0
District of Sicamous	1	0	0	0	0	0	1	0	1	0
District of Sooke	0	0	1	2	0	0	0	0	3	0
District of Sparwood	0	0	1	0	0	0	1	0	2	0
District of Squamish	0	1	0	0	0	0	0	0	0	0
District of Stewart	2	0	2	0	0	1	1	0	4	0
District of Summerland	1	0	0	0	1	0	0	0	1	0
District of Tumbler Ridge	0	0	1	0	3	0	0	0	4	0
District of Ucluelet	2	0	0	0	2	0	0	0	2	0
District of West Vancouver	0	0	0	0	0	1	0	0	1	0
Resort Municipality of Whistler	0	0	1	0	0	0	0	0	1	0
Town of Creston	0	0	0	0	1	0	0	0	1	0
Town of Gibsons	0	0	0	0	2	0	1	0	3	0
Town of Ladysmith	0	0	1	0	0	0	0	0	1	1
Town of Princeton	1	0	0	0	1	0	1	0	2	0
Town of Qualicum Beach	0	0	1	0	0	0	0	0	1	0
Town of Sidney	1	0	0	0	1	0	0	0	1	0
Town of View Royal	0	0	1	0	0	0	0	0	1	1
Township of Esquimalt	1	0	1	2	0	0	1	0	4	0
Township of Langley	2	0	2	1	6	0	2	0	11	0
Village of Anmore	1	0	1	0	1	0	0	0	2	1
Village of Belcarra	1	0	0	0	0	0	1	0	1	0
Village of Cumberland	0	0	0	0	3	0	0	0	3	0
Village of Kaslo	0	0	0	0	0	1	1	0	2	0
Village of Lions Bay	0	0	0	0	1	0	1	0	2	0
Village of Masset	0	0	0	0	1	0	0	0	1	0

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01 Jan 2002	Requests for Information in 2002	Files Closed in 2001							Files Open as of 31 Dec 2002
			Enquiries	"Declined (s.10, 11)"	Refused/ Ceased (discretion) (s.13)	Settled under s.14 (s.13(i))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Files Closed	
Village of McBride	0	0	0	0	0	1	0	0	1	0
Village of Nakusp	1	0	0	0	0	0	1	0	1	0
Village of Radium Hot Springs	1	0	1	0	0	1	0	0	2	0
Village of Sayward	0	0	0	0	1	0	0	0	1	0
Village of Warfield	1	0	0	0	0	0	1	0	1	0
REGIONAL DISTRICTS	**24**	**1**	**17**	**5**	**53**	**4**	**20**	**0**	**99**	**7**
Alberni-Clayoquot Regional District	1	0	1	0	0	1	0	0	2	0
Capital Regional District	2	0	2	0	11	0	1	0	14	0
Cariboo Regional District	0	0	1	0	1	0	0	0	2	0
Central Kootenay Regional District	0	0	0	0	1	0	0	0	1	0
Central Okanagan Regional District	2	0	0	0	4	0	3	0	7	1
Columbia-Shuswap Regional District	1	0	1	0	3	0	0	0	4	1
Comox-Strathcona Regional District	0	0	2	0	4	0	1	0	7	1
Cowichan Valley Regional District	4	1	1	3	9	0	1	0	14	0
East Kootenay Regional District	0	0	1	0	0	0	1	0	2	0
Fraser Valley Regional District	4	0	0	0	3	0	3	0	6	0
Fraser-Fort George Regional District	0	0	0	0	0	0	0	0	0	1
Greater Vancouver Regional District	1	0	0	0	0	1	1	0	2	0
Kitimat-Stikine Regional District	1	0	0	0	2	1	1	0	4	0
Kootenay Boundary Regional District	0	0	1	0	2	1	0	0	4	0
Mount Waddington Regional District	0	0	1	0	0	0	0	0	1	0
Nanaimo Regional District	1	0	2	1	3	0	1	0	7	1
North Okanagan Regional District	0	0	2	0	3	0	0	0	5	0
Northern Rockies Regional District	1	0	0	0	0	0	1	0	1	0
Okanagan-Similkameen Regional District	4	0	0	1	5	0	3	0	9	1
Powell River Regional District	0	0	1	0	0	0	0	0	1	0
Skeena-Queen Charlotte Regional District	1	0	0	0	1	0	1	0	2	0
Squamish-Lillooet Regional District	0	0	0	0	0	0	0	0	0	1
Sunshine Coast Regional District	1	0	1	0	1	0	2	0	4	0
ISLANDS TRUST	**4**	**0**	**1**	**0**	**5**	**1**	**2**	**0**	**9**	**0**
IMPROVEMENT DISTRICTS	**4**	**0**	**2**	**0**	**5**	**1**	**3**	**0**	**11**	**2**
Beaver Creek Improvement District	0	0	0	0	1	0	0	0	1	0
Cherry Creek Waterworks District	1	0	0	0	0	0	1	0	1	0
Hedley Improvement District	0	0	0	0	1	0	0	0	1	0
Heffley Creek Waterworks District	0	0	0	0	1	0	0	0	1	0
Lakeview Irrigation District	1	0	0	0	0	0	0	0	0	2
Larkin Waterworks District	0	0	1	0	0	0	0	0	1	0
North Cedar Improvement District	0	0	0	0	1	0	0	0	1	0
Okanagan Falls Irrigation District	0	0	1	0	0	0	0	0	1	0
Royston Improvement District	1	0	0	0	0	0	1	0	1	0
Sechelt Fire Protection District	0	0	0	0	0	1	0	0	1	0
South Hazelton Waterworks District	0	0	0	0	1	0	0	0	1	0
South Okanagan Mission Improvement District	1	0	0	0	0	0	1	0	1	0
LIBRARIES	**2**	**0**	**0**	**0**	**2**	**0**	**0**	**0**	**2**	**1**
Cariboo Library Network	0	0	0	0	1	0	0	0	1	0

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01 Jan 2002	Requests for Information in 2002	Files Closed in 2001							Files Open as of 31 Dec 2002
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Fraser Valley Regional Library	1	0	0	0	1	0	0	0	1	0
Greater Victoria Public Library	1	0	0	0	0	0	0	0	0	1
Regional Parks Boards	1	0	0	0	0	0	1	0	1	0
Cultus Lake Park Board	1	0	0	0	0	0	1	0	1	0
SCHOOLS AND SCHOOL BOARDS	**35**	**1**	**39**	**2**	**59**	**19**	**15**	**0**	**134**	**15**
School District 05 (Southeast Kootenay)	1	0	2	0	2	1	0	0	5	0
School District 08 (Kootenay Lake)	1	0	0	0	2	1	1	0	4	0
School District 19 (Revelstoke)	0	0	2	0	0	0	0	0	2	0
School District 22 (Vernon)	1	0	0	0	0	1	1	0	2	1
School District 23 (Central Okanagan)	0	0	3	0	1	0	0	0	4	0
School District 27 (Cariboo-Chilcotin)	1	0	1	0	1	0	1	0	3	0
School District 28 (Quesnel)	0	0	2	0	2	0	1	0	5	0
School District 33 (Chilliwack)	0	0	2	0	2	0	0	0	4	1
School District 34 (Abbotsford)	0	0	1	0	0	0	0	0	1	1
School District 35 (Langley)	1	0	0	0	1	1	0	0	2	0
School District 36 (Surrey)	3	0	0	0	2	1	2	0	5	0
School District 37 (Delta)	1	0	0	0	0	1	0	0	1	2
School District 38 (Richmond)	0	0	0	0	1	0	0	0	1	0
School District 39 (Vancouver)	1	0	7	0	4	1	0	0	12	1
School District 40 (New Westminster)	0	0	0	0	3	0	0	0	3	0
School District 41 (Burnaby)	1	1	0	0	1	0	1	0	2	0
School District 43 (Coquitlam)	1	0	1	0	1	1	0	0	3	1
School District 46 (Sunshine Coast)	0	0	1	0	0	0	0	0	1	0
School District 48 (Howe Sound)	5	0	1	0	5	1	0	0	7	1
School District 51 (Boundary)	0	0	1	0	1	0	0	0	2	0
School District 52 (Prince Rupert)	1	0	0	0	0	1	1	0	2	0
School District 54 (Bulkley Valley)	1	0	0	0	0	1	0	0	1	0
School District 57 (Prince George)	0	0	1	0	3	0	1	0	5	0
School District 58 (Nicola-Similkameen)	0	0	1	0	0	0	0	0	1	0
School District 59 (Peace River South)	2	0	1	0	3	1	0	0	5	0
School District 60 (Peace River North)	1	0	0	0	1	0	1	0	2	0
School District 61 (Greater Victoria)	2	0	2	0	4	0	1	0	7	1
School District 62 (Sooke)	0	0	1	0	1	0	0	0	2	0
School District 63 (Saanich)	1	0	0	0	1	0	0	0	1	0
School District 68 (Nanaimo-Ladysmith)	0	0	2	1	0	1	0	0	4	2
School District 69 (Qualicum)	0	0	0	0	1	0	0	0	1	0
School District 70 (Alberni)	1	0	0	0	1	0	0	0	1	0
School District 71 (Comox Valley)	1	0	1	0	0	0	1	0	2	0
School District 72 (Campbell River)	3	0	1	0	1	0	1	0	3	1
School District 73 (Kamloops/Thompson)	0	0	3	1	1	0	0	0	5	1
School District 74 (Gold Trail)	0	0	0	0	0	1	1	0	2	0
School District 75 (Mission)	0	0	0	0	2	1	0	0	3	1
School District 78 (Fraser-Cascade)	0	0	0	0	2	0	0	0	2	0
School District 79 (Cowichan Valley)	1	0	0	0	0	1	0	0	1	0
School District 82 (Coast Mountains)	1	0	1	0	0	1	0	0	2	0

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01 Jan 2002	Requests for Information in 2002	Files Closed in 2001							Files Open as of 31 Dec 2002
			Enquiries	"Declined (s.10, 11)"	Refused/ Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Files Closed	
School District 83 (North Okanagan-Shuswap)	0	0	0	0	1	0	0	0	1	0
School District 84 (Vancouver Island West)	2	0	0	0	1	0	1	0	2	0
School District 85 (Vancouver Island North)	0	0	0	0	1	0	0	0	1	0
School District 87 (Stikine)	0	0	0	0	1	0	0	0	1	1
School District 91 (Nechako Lakes)	1	0	0	0	1	1	0	0	2	0
School District 92 (Nisga'a)	0	0	0	0	2	0	0	0	2	0
School District 93 (Conseil Scolaire Francophone)	0	0	1	0	2	1	0	0	4	0
UNIVERSITIES	**5**	**0**	**5**	**3**	**12**	**2**	**4**	**0**	**26**	**0**
Royal Roads University	0	0	0	0	1	0	0	0	1	0
Simon Fraser University	0	0	1	1	2	2	0	0	6	0
University of British Columbia	3	0	3	1	5	0	3	0	12	0
University of Northern BC	1	0	1	0	0	0	1	0	2	0
University of Victoria	1	0	0	1	4	0	0	0	5	0
COLLEGES	**6**	**0**	**17**	**1**	**16**	**2**	**6**	**0**	**42**	**2**
BC Institute of Technology	0	0	3	0	1	0	0	0	4	0
Camosun College	0	0	0	0	0	1	1	0	2	0
Capilano College	1	0	0	0	2	0	0	0	2	0
College of New Caledonia	1	0	0	0	1	0	0	0	1	0
Douglas College	1	0	0	1	1	0	0	0	2	0
Emily Carr Institute of Art and Design	1	0	0	0	1	0	0	0	1	0
Institute of Indigenous Government	0	0	1	0	1	0	0	0	2	0
Justice Institute of BC	0	0	1	0	0	0	0	0	1	0
Kwantlen University College	0	0	1	0	2	0	0	0	3	0
Langara College	1	0	0	0	2	0	1	0	3	0
Malaspina College	1	0	1	0	1	0	0	0	2	1
North Island College	0	0	4	0	2	0	1	0	7	0
Okanagan University College	0	0	0	0	0	1	1	0	2	0
Open Learning Agency	0	0	2	0	0	0	0	0	2	0
Selkirk College	0	0	2	0	0	0	0	0	2	0
University College of the Fraser Valley	0	0	0	0	1	0	0	0	1	0
Vancouver Community College	0	0	2	0	1	0	2	0	5	1
PROFESSIONAL ASSOCIATIONS	**36**	**116**	**137**	**6**	**87**	**15**	**22**	**0**	**267**	**28**
Architectural Institute of BC	0	0	0	0	0	0	0	0	0	1
Association of Professional Engineers and Geoscientists	1	1	0	1	2	0	0	0	3	0
Association of Professional Foresters	2	0	0	0	0	0	2	0	2	0
BC College of Chiropractors	0	0	1	0	1	0	0	0	2	0
BC Veterinary Medical Association	0	0	0	0	1	0	0	0	1	0
Certified General Accountants Association of BC	0	0	1	0	0	0	0	0	1	0
College of Dental Surgeons of BC	0	12	10	1	5	1	0	0	17	1
College of Denturists of BC	0	0	1	0	1	0	0	0	2	0
College of Licensed Practical Nurses of BC	0	0	1	0	0	2	0	0	3	0
College of Massage Therapists of BC	0	0	0	0	1	0	0	0	1	0
College of Midwives of BC	0	0	2	0	0	0	0	0	2	0

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01 Jan 2002	Requests for Information in 2002	Files Closed in 2001							Files Open as of 31 Dec 2002
			Enquiries	"Declined (s.10, 11)"	Refused/ Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings Substantiated (s.25)	Total Files Closed	
College of Naturopathic Physicians of BC	1	0	0	0	0	1	0	0	1	1
College of Opticians of BC	1	2	0	0	1	0	1	0	2	0
College of Pharmacists of BC	0	2	0	0	0	0	0	0	0	0
College of Physical Therapists of BC	1	0	0	0	2	0	0	0	2	0
College of Physicians and Surgeons of BC	9	53	56	2	32	5	4	0	99	11
College of Psychologists of BC	5	0	2	0	7	2	0	0	11	4
College of Registered Psychiatric Nurses of BC	0	1	1	0	2	0	0	0	3	0
College of Teachers	0	0	1	0	1	0	1	0	3	0
College of Traditional Chinese Medicine Practitioners and Acupuncturists of BC	0	0	1	0	0	0	1	0	2	1
Cosmetologists Association of BC	1	0	0	0	1	0	1	0	2	0
Institute of Chartered Accountants of BC	0	0	2	0	1	0	0	0	3	0
Law Society of British Columbia	12	44	53	2	22	4	12	0	93	7
Registered Nurses Association of BC	3	1	5	0	6	0	0	0	11	2
Society of Notaries Public	0	0	0	0	1	0	0	0	1	0
HEALTH AUTHORITIES	**32**	**3**	**78**	**11**	**160**	**17**	**19**	**0**	**285**	**16**
Fraser Health Authority	2	0	22	0	30	2	3	0	57	0
Interior Health Authority	6	0	13	2	40	4	3	0	62	5
Northern Health Authority	5	0	4	0	7	1	2	0	14	2
Vancouver Coastal Health Authority	6	0	13	3	33	2	5	0	56	1
Vancouver Island Health Authority	11	1	16	2	28	6	5	0	57	7
Provincial Health Services Authority	2	2	10	4	22	2	1	0	39	1
BC Cancer Agency	1	0	0	0	1	0	0	0	1	0
BC Centre for Disease Control	0	0	0	1	0	0	0	0	1	0
Children's and Women's Health Centre of BC	0	0	0	0	1	0	0	0	1	0
Forensic Psychiatric Services Commission	0	1	9	1	11	2	0	0	23	0
Riverview Hospital	1	0	1	2	6	0	1	0	10	0
Provincial Health Services Authority – General	0	1	0	0	3	0	0	0	3	1
JURISDICTIONAL TOTALS	**604**	**1739**	**1667**	**860**	**3176**	**523**	**450**	**0**	**6676**	**361**
NON-JURISDICTIONAL TOTALS	**1**	**1602**	**25**	**501**	**0**	**2**	**0**	**0**	**528**	**0**
GRAND TOTALS FOR 2002	**605**	**3341**	**1692**	**1361**	**3176**	**525**	**450**	**0**	**7204**	**361**

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Bruce Edmundson
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Christine Morris
Dale Bryant
David Brown
David Davis
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Diane Johnston
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Elaine Fitch
Elizabeth Nicholls
Errol Nadeau
Fe Alcos
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Gretchen Cleveland
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Holly Williams
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Ian MacCuish
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Linda Carlson
Linda Pink
Lyle McFadyen
Marisol Sepulveda
Melanie Knight
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